
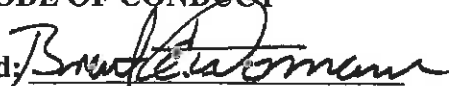
	Waco Police Department General Order	
Title: CODE OF CONDUCT	Number: 10.01	Effective: 06/17/2011
Approved:  Chief of Police	Cancels: 10.01	Issued: 04/19/2006

10.01.01 RULES

A. APPLICATION

1. This order applies to all employees of the Waco Police Department. However, if an employee is working in an undercover assignment, these rules shall apply, except to the extent that certain conduct is necessary to maintain the officer's undercover identity.
2. Volunteers, Police Explorers and other non-paid civilians affiliated with the Department through any Department sponsored program will abide by these rules while under the direction of a Department employee or while representing the Department. Their activities at all other times have a direct bearing on their continued affiliation and participation in any Department sponsored program.

B. STANDARD OF CONDUCT

1. All employees will observe and obey all federal and state laws, City Ordinances, City and Department rules, policies and procedures.
2. All employees will maintain integrity and a high level of courtesy and cooperation with the public and other members of the Department.
 - a. Employees will be truthful at all times whether under oath or not. False accusations are prohibited. Untruthfulness can result in disciplinary action up to and including termination from employment.
 - d. The release of any Department information not available for release to the public is prohibited except when releasing information pursuant to the Texas Public Information Act.

4. Employees will not intentionally or knowingly falsify any document or record by entering or causing to be entered information that is false or misleading or done by unauthorized signature.

6. Gifts and Gratuities

- a. Employees will not use their connection with the Department to solicit any gift, gratuity, favor or other special consideration.
 - b. Employees will not accept any gift, gratuity, favor or other special consideration that would obligate the employee, the Department or the City of Waco or cause a person or business to expect preferential treatment
7. Employees must obtain a certificate, license or permit required by any agency, law or ordinance.
 8. Violation of any Department policy, regulation or rule could result in disciplinary action up to and including termination from employment.

10.01.02 DUTIES AND RESPONSIBILITIES

A. On duty Commissioned Personnel will take action to:

1. Protect life and property.
2. Prevent crime.
3. Prevent the escape of a criminal.
4. Preserve the **peace**.
5. Detect and arrest violators of the law.
6. Respond to calls for police assistance from citizens.
7. Enforce federal and state laws and City ordinances within Department jurisdiction regardless of unit assignment.
8. Aid a fellow officer exposed to danger.

9. Perform all duties required or directed by law, Department rule, directive, policy or by lawful order of a superior officer.

B. Knowledge of Laws, Regulations and Assignments

1. Every officer is required to establish and maintain a working knowledge of all Department orders, rules, policies and procedures as well as all local ordinances and state or federal laws.

- D. Employees are required to report for duty at the proper time and place and in proper mental and physical condition.

H. Resignations

I. Illness, Injury or Limited Duty

10.01.03 CONDUCT ON DUTY

- N. All employees must obey the lawful orders of a supervisor. This will include orders **relayed** through an employee of equal or lesser rank than the recipient. Failure or refusal to obey the lawful orders of a supervisor is insubordination.
- 2. Command or supervisory orders must be in compliance with the laws and ordinances of the Federal, State or Municipal governments and in accordance with Department orders, rules and regulations.

Provisions of State and Federal Law Prevail

In the event of a conflict between these General Orders and the provisions of any state or federal law, the provisions of that state or federal law shall prevail.

END OF GENERAL ORDER 10.01.



Waco Police Department General Order



Title: **ORGANIZATIONAL
STRUCTURE**

Number: 21.02 Effective: 01/01/2016

Cancels: 21.02 Issued: 11/09/1992

Approved:


Chief of Police

21.02.01 POLICY

The Department recognizes the need for a formal organizational structure and as such established a structure which is effective and efficient in carrying out the mission of the Department. The Department consists of the Chief's Office and three major divisions: Community Services, Criminal Investigations, and Support Services.

21.02.02 PROCEDURES

A. Organization and Description

1. Chief's Office

Oversees all police functions and evaluates activities of the Department in terms of cost, efficiency, and effectiveness. Included in this office is the Professional Standards and Conduct Unit.

a. Professional Standards and Conduct

- (1). This unit consists of a Sergeant who investigates reports of alleged or confirmed misconduct of Department employees. Investigations are conducted to ensure the integrity of the Department.

2. Community Services Division

Primary responsibility is for preliminary on-the-scene investigation of all calls for service. Commanded by an Assistant Chief, the Division concentrates on the prevention and suppression of criminal activity, apprehension of criminals, preservation of public peace, and protection of life and property. The Division consists of three patrol shifts, K-9, and the Administrative Services Section which includes Street Crimes, Traffic, Warrant Officers, and the Administrative Patrol Office.

a. Administrative Services Section

- (1). This section is commanded by a Commander. Responsible for traffic enforcement, assisting citizens in solving neighborhood problems, assisting municipal court with security and traffic warrants, administrative duties and coordinating special projects for the division.

3. Criminal Investigation Division

Commanded by an Assistant Chief, the Division ensures all criminal cases are processed from initial investigation through final disposition. This Division provides polygraph services and includes Neighborhood Services Section and the Drug Enforcement Section.

a. Neighborhood Investigations Section

- (1). This section is commanded by a Commander and is responsible for the investigation and follow-up of all criminal cases involving assaults, family violence, property crimes, as well as minor offenses relating to violations of city ordinances, state laws, and traffic offenses. Officers of this Section work with patrol officers and the district attorney's office in processing criminal suspects through the criminal justice system. The Section includes a Crimes Against Children Unit, Family Violence Unit, S.A.F.E. (Support, Abatement, Forfeiture, and Enforcement) Unit and a Special Crimes Unit. The latter consists of investigators responsible for investigating major crimes of violence.

b. Drug Enforcement Section

- (1). This section is commanded by a Commander and gathers intelligence and data pertaining to illegal drugs, vice, and organized crime activity. Officers conduct surveillance on persons suspected of criminal activity and perform covert operations to seize them and their illegal possessions.

4. Support Services Division

Commanded by an Assistant Chief, this Division includes Animal Control, Property Room, Crime Scene Unit, Computer Forensic Lab, Criminal Intelligence/Public Information Unit, Community Outreach, Personnel and Training, the computer system, a twenty-four hour typing pool, and building janitorial operations. Areas within this division include the Records Section, Communications Section, the Planning and Budget Section, and Management Services.

a. Records Section

- (1). This section is commanded by a Program Administrator and is responsible for all files and criminal records which are maintained in this Section, monies from fines and warrants, records that are collected, maintain the Department's main line computer system, open record requests, typing of police reports and the Police Impound Lot.

b. Communications Section

- (1). This section is commanded by a Program Administrator. This section manages the operations of a Public Safety Answering Point/911 Center, coordinating county-wide emergency personnel response to citizen requests for police, fire, and medical assistance. Telephone, radio and computer-aided dispatch systems are utilized. Entry and deletion of the Department's wanted person and property data in local, state and national computer files are also the responsibility of this Section.

c. Planning/Budget Section

- (1). This section is commanded by a Program Administrator and is responsible for preparing

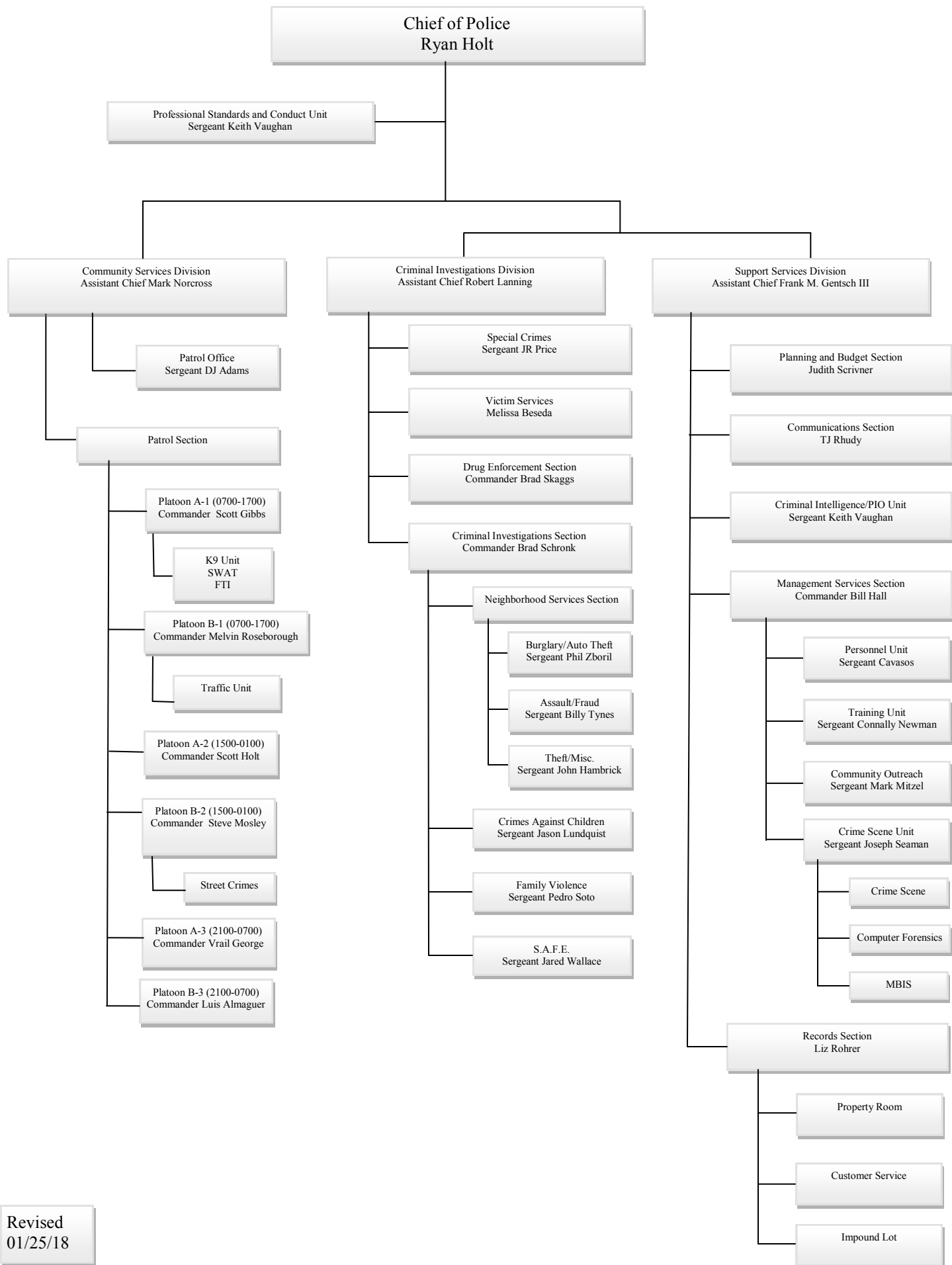
short and long term planning reports, applying for and administering grants, coordinating vehicle and equipment purchases, oversees policy manual updates, preparing and administering the Department's budget, preparing payroll and ordering equipment and supplies for the Department.

d. Management Services Section

- (1). This section is commanded by a Commander and includes Personnel, Training, Community Outreach, Crime Scene, Computer Forensic, AFIS, Criminal Intelligence/Public Information, and Animal Control. This section is responsible for recruitment and selection of sworn and civilian personnel, training for the Department, calls involving animals, community programs, apprehension of fugitives, media relations, forensic examination of digital media, and forensic support to police investigations.
- B. Components of the Department which are within the personal span of control of the Chief are grouped by the function they perform.
- C. The Department's organization structure is depicted on a chart as an attachment to this policy.
- D. The planning component of the Department updates the chart annually or when significant organizational changes occur. The chart shows the rank of the supervisor commanding each component.

End of General Order 21.02

WACO POLICE DEPARTMENT ORGANIZATIONAL CHART



Revised
01/25/18



Waco Police Department General Order



Title: COMMAND STRUCTURE

Number: 21.03 Effective: 01/01/2016

Cancels: 21.03 Issued: 10/01/1996

Approved:

Brent E. Crumman
Chief of Police

21.03.01 POLICY

The Department is organized in a formal command structure according to rank for commissioned employees and job class for civilian employees.

21.03.02 PROCEDURES

A. Ranks of Authority

1. The following ranks of authority establish the chain of command within the Waco Police Department:
 - a. Chief of Police is appointed by the City Manager on approval of the City Council in accordance with the provision of 143.013 of the Local Government Code and Article V of the City Charter. The Chief of Police commands all employees within the Department.
 - b. Assistant Chief (Grade IV) is appointed by the Chief of Police as provided by State law and City ordinance. The rank of Assistant Chief is subordinate to the rank of Chief and superior to the rank of Commander.
 - c. Commander (Grade III) is appointed by the Chief of Police from an eligibility list derived from a promotional examination conducted by the Director of Firemen's and Policemen's Civil Service. The rank of Commander is subordinate to the rank of Assistant Chief and superior to the rank of Sergeant.
 - d. Sergeant (Grade II) is appointed by the Chief of Police from an eligibility list derived from a promotional examination conducted by the Director of Firemen's and Policemen's Civil Service. The rank of sergeant is subordinate to the rank of Commander and superior to that of Police Officer.
 - e. Police Officer (Grade I) is appointed by the Chief of Police from an eligibility list derived from an entrance examination conducted by the Director of Firemen's and Policemen's Civil Service. The rank of Police Officer is subordinate to the rank of Sergeant.
2. Non-commissioned police employees are considered of equivalent rank to commissioned employees based upon the individual placement in the organizational structure, i.e. a non-commissioned supervisor of a division, section or unit is considered for command purposes to be the equal of a commissioned supervisor of a division, section, or unit.

3. Non-supervisory commissioned employees have no command authority over non-commissioned employees merely by virtue of their commissioned status.
4. Individuals designated as Field Training Instructors have command authority only over the trainees assigned to them for that purpose.

B. Succession

1. The Chief has authority to designate a person to act in his stead as Department head on any occasion when he plans to be absent from the City or otherwise unavailable to perform the duties of his office.
2. In the event of a temporary absence or incapacity of the Chief and lacking other written or verbal instructions from the Chief, the order of succession to acting Chief of Police is based on seniority of the Assistant Chiefs.

C. Seniority

1. Seniority for commissioned supervisors is determined as follows:
 - a. Rank
 - b. Continuous service within the rank
 - c. Position on eligibility list from which appointment was made
2. Seniority for police officer (Grade I) is determined as follows:
 - a. Continuous service within the rank (date of commission)
 - b. Actual date of employment with the Department (includes full or part-time non-commissioned status)
 - c. Position on eligibility list from which appointment was made
 - d. Police Academy average
3. Seniority for civilian employees is determined as follows:
 - a. Position classification
 - b. Continuous service within the position
 - c. Actual date of employment with the Department

D. Command Authority

1. The senior member of the highest rank within the organization structure of the unit is in command unless another designation is made. The Chief or a superior officer of an organizational component may designate an employee of equal or less rank to be in command regardless of seniority.

2. During absence of a commanding officer, the command automatically goes to the ranking subordinate present unless another designation is made.
3. At other than normal duty hours and in the absence of the chief or a higher ranking officer on duty, the officer assigned as the primary shift commander of the Patrol Division is in charge of the Department.
4. Senior ranking employees do not assume command outside their own organizational assignment except when failure to do so seriously endangers the Department's reputation or its ability to maintain law and order.
5. Employees receiving a conflicting order will inform the supervisor issuing the conflicting order and ask for a resolution. In the event the conflicting order is not altered or retracted, employees follow the immediate order.
6. A superior officer giving orders to any subordinate outside the superior's organizational chain exercises care that the orders do not conflict with those of the subordinate's commander. The superior officer giving the orders informs the subordinate's supervisor of any action taken.

E. Command on Calls for Service.

1. The primary patrol officer dispatched on a call is in command unless a patrol supervisor assumes command. All other officers at the scene assist as needed.
2. After patrol responsibilities for the preliminary investigation or crime scene security have been fulfilled, active command at the crime scene transfers to the Department's component responsible for the follow-up investigation.
3. The primary officer of the investigative component assumes command unless a supervisor from the investigative component assumes command.
4. The ranking officer of the component continuing the investigation assures the follow-up investigation is conducted properly and in the best interests of the Department.

F. Field Command for Emergency Situations

1. A field command is established when the seriousness of an incident requires centralized command to effectively handle the situation.
2. A field command is not ordinarily set up unless control of the incident cannot be handled with normal police procedures (i.e. bank robbery, hostage or barricade subject, natural disasters, civil disorders).
3. When a field command is established, the chain of command for line control of the incident is as follows:
 - a. Chief or Assistant Chief
 - b. Patrol Commander
 - c. Designated Field Commander

d. Ranking Officer assigned or present at the scene

4. Field command is assumed as follows;

- a. The senior patrol officer present at the scene assumes command. If the senior officer present is a police officer, he is the officer-in-charge and assumes command until a patrol supervisor arrives.
- b. If the first superior officer at the scene is not from patrol, the officer, because of rank, assumes field command until a patrol supervisor arrives.
- c. Any superior officer of the Department's normal chain of command may, because of rank, assume command. If this occurs, the field commander is specifically informed that field command is transferred to the superior officer.

5. Field command is designated as follows:

- a. When the Chief, an Assistant Chief or the commander of the patrol component designates a field commander, the designated field commander is relieved of such command only by the Chief, an Assistant Chief or the Patrol Commander.
- b. The designated field commander, regardless of rank, has complete authority and responsibility over assigned field operations for the duration of the emergency or until he is relieved.

End of General Order 21.03



Waco Police Department General Order



**Title: SPAN OF CONTROL AND
DELEGATION OF AUTHORITY**

Number: 21.04 Effective: 01/01/2016

Cancels: 21.04 Issued: 11/09/1992

Approved:

Bruce E. Roman
Chief of Police

21.04.01 POLICY

The Department is organized to provide unity of command and a strictly defined span of control for supervisors and reporting structure for employees. Employees are given the authority to make decisions necessary for the effective execution of their responsibilities. Employees are accountable for the use of delegated authority, as well as the failure to use it.

21.04.02 PROCEDURES

- A. Each organizational component is under the direct command of only one supervisor, and each employee in the Department is accountable to only one supervisor at any given time.
- B. To achieve effective direction, coordination, and control, the number of employees under the immediate control of a supervisor should not exceed 10 (ten) except during temporary periods of adjustment or emergency.
- C. Employees are delegated authority commensurate with their job assignment and responsibilities and are accountable for use or failure to use that authority.
- D. Responsibilities are delegated to the lowest level possible for satisfactory execution.
- E. Supervisors are responsible and accountable for the performance of employees under their immediate control.

End of General Order 21.04




Waco Police Department General Order



**Title: DEPARTMENT DIRECTIVES
SYSTEMS AND MANUALS**

Number: 21.06 Effective: 01/01/2016

Approved: 
Chief of Police

Cancels: 21.06 Issued: 09/08/1997

21.06.01 PROCEDURES

A. The Directive System

1. The directives system is established so that employees will have access to Department and division policies, rules, and procedures. The directives system is intended to facilitate intra-department communications and is not intended to prevent the routine exchange of information.
2. The Chief of Police has the authority to issue, modify, or approve Department written directives.
3. When an employee signs a signature sheet, the employee acknowledges having received a copy of the designated manual or directive, is responsible for reading all directives, and is responsible for understanding it by reading, asking a supervisor, etc.
4. All General Orders as defined by this Order may be a part of the testing material for Civil Service promotional examinations.
5. In the event any part of a written directive conflicts with any existing policy, procedure, directive or rule, the latest issued written directive supersedes the conflicting part of the older policy, procedure, directive or rule, except when the exiting policy, procedure, directive or rule was issued by higher authority (i.e. directive issued by the Chief supersedes a conflicting directive issued by an Assistant Chief.)
6. Provisions of a Department directive may apply to any organizational level or individual not specified in the directive when authorized or required by the Chief of Police (i.e. authorization or requirement for a section or unit to have an operations manual; designation of a section commander as an Assistant Chief for inventory control).
7. The statement unless otherwise authorized by the Chief of Police is implied for any part of all directives and manuals of the Waco Police Department.
8. For the purpose of this order, a division commander can be any supervisory level supervising a division.
9. For the purpose of clarity concerning, but not limited to, policies, conduct. etc., all references to the male gender also apply to the female gender.
10. The violation of a Department directive may expose an employee and the Department to civil liability.

11. Any written Department directive becomes effective at 0700 hours on the date indicated.
12. The twenty-four hour military time system is used to express time in Department Directives.

B. Types of Directives and Issuing Authority

A written directive is a written order issued by the Chief of Police (or in his authority or by his direction) or by a commander or his designee so authorized by this directive. The Waco Police Department written directives system consists of General Orders, Personnel Orders and Division/Section Orders.

1. Department Orders

- a. General Orders adopt or revise Department rules, procedures, programs or policies for the indefinite future. They are Department level directives and issued only by the Chief of Police.
- b. Special Orders may be used to set policy and procedures regarding a specific circumstance or event; may be used for an immediate change or amendment to a General Order. All Special Orders will contain a self-cancelling statement, will automatically be cancelled one year after issue or will be cancelled when incorporated into a General Order.
- c. Personnel Orders announce actions involving Department personnel including appointment, assignment, promotion, transfers, and resignation of employment. Personnel Orders are issued by the authority of the Chief of Police.
- d. Division/Section Orders adopt or revise operating procedures and policies for a division/section. Division/Section Orders are issued by division/section commanders.

C. Preparation of Written Directives

1. General Orders and Special Orders that amend General Orders are normally prepared by the Planning & Budget Section of the Department. The Commander of the division which is mainly concerned with or is the main beneficiary of any Department level directive will normally be responsible for its original drafting.
2. Special Orders prepared for a specific circumstance or event are prepared by the Commander in charge of the specific circumstance or event.
3. Division/Section Orders are prepared by the commander of the division or section or by a person within the division or section designated by the commander.
4. Personnel Orders are prepared by the Personnel Unit of the Department.
5. Directives are written in precise and positive terms with grammatical accuracy.

D. Staff Review Process for Department Directives

1. The Chief has the discretion to choose a review process different from that stated below:
 - a. This allows for situations which may include but are not limited to:

- (1). Emergency situations
- (2). Changes which affect format or style
- (3). Changes which result from a change in City policy, or state or local law, etc.

b. Special orders are normally used in these situations.

2. Department Directive Originating from a Committee

- a. After the committee develops a proposal, the Committee Chairman submits the proposal to the Department's Command Team.
- b. The Command Team is given a chance to review the proposal; recommendations of the Command Team are taken back to the Committee by the Committee Chairman.
- c. The Committee considers the recommendations, prepares the final proposal, and submits it to the Chief. A memorandum is attached to the final proposal specifying any difference between the Committee's proposal and the Command Team's recommendations.
- d. The Chief reviews the proposal and may send it to City Legal.
- e. Upon return, the Chief sends the final draft to the Planning & Budget Section for preparation and distribution.

3. Department Directives Originating from an Authority Other Than a Committee

- a. The Originating Authority prepares an initial draft of the directive and submits it to the Commander of the Support Services Division who sends it to Planning/Budget to be formatted.
- b. The Commander of the Support Services Division sends the formatted draft to the Chief who then determines the review process.
- c. The Chief forwards the final draft to the Planning & Budget Section for implementation.

4. Division/Section Directives

- a. A draft of the directive is prepared by the Division/Section and may be sent to City Legal for review.
- b. The draft and comments are returned to the originating division/section.
- c. The originating division/section makes needed adjustments and sends the final draft to the Chief for approval. The Chief returns the directive to the division/section for implementation.

E. Formats, Numbering and Index System

1. General Orders, Special Orders and Division/Section Orders follow the format of this directive using the standard outline form.

- a. The type of order is listed at the top right of the first page. Title information is completed in the outlined box on the top half of the first page.
 - b. The **Planning & Budget Section** assigns the order number and is responsible for finalizing the title and all other parts of the indexing information.
 - c. When appropriate, a policy statement, then a listing of definitions followed by a listing of rules is included in the Order prior to the set of procedures. An Order may or may not include a policy statement, a list of definitions, or a set of rules.
 - d. The Directives Manual contains an index system which consists of a numerical index at the beginning of the manual.
2. **Personnel Orders** consist of a preprinted heading sheet and are numbered consecutively preceded by the year they were distributed.
 3. Whenever applicable, directives carry notations directing attention to other published documents. Reference to a portion of a directive is by type of directive, directive number followed by section numbers in the directive (i.e., General Order 23.01, Section 1.d.).

F. Department and Division Manuals

1. The Department's Directives Manual consists of General Orders categorized by chapter topics. The chapters are numbered with each order assigned an individual number (i.e. General Order 21.06 is the sixth order in Chapter Twenty-one).
2. **Special orders, to amend General Orders, are numbered in accordance with the General Order being amended.**
3. Division/Section Manuals consist of Division/Section Orders. These Orders are assigned by Topics. As with General Orders, each Division/Section Order is assigned an individual number. (i.e. Division/Section Order 85.02 is the second order in C.I.D.'s juvenile chapter.)
4. Each Police Department employee is issued a Directives Manual. All effective General Orders and **Special Orders** pertaining to the employee's assignment or employment are maintained in this Manual.
 - a. Employees are encouraged to maintain division manuals in the Directives Manual as long as there is sufficient space.
 - b. Other directives may be kept in the back of the manual as space permits.
5. Each commander is responsible for maintaining a Division Manual with up-to-date operating procedures and policies for the division.
 - a. An **Assistant Chief** may include orders from other Divisions in the Directives Manual if the **Assistant Chief** feels the information is necessary to coordinate effort.
 - b. The Division Manual covers information appropriate for the operation of the concerned division.

- c. The Division Manual is a component of the Department's Directive System and is written in a format which is consistent and in form with General Orders.
- d. Every effort is made to eliminate redundancy of information contained in Division Manuals and General Orders.

G. Distribution of Manuals and Directives

1. General Orders

- a. General Orders are printed and distributed to employees by the Department's Planning & Budget Section.
- b. General Orders are distributed according to the distribution code in the top right corner of the first page of the order.
- c. Signatures are obtained from employees issued General Orders.

2. Special Orders

- a. Special Orders are printed and distributed to employees by the Planning & Budget Section.
- b. Special Orders are distributed according to the distribution code in the top right corner of the first page of the order.
- c. Signatures are obtained from employees issued Special Orders.

3. Personnel Order

- a. Personnel Orders are printed and distributed by the Department's Personnel Unit.
- b. Personnel Orders are distributed to the all personnel through the e-mail system.

4. Division Orders and Manuals

- a. Division Orders and Manuals are printed and distributed by the division issuing the order or manual.
- b. It is the responsibility of Division Commanders to ensure the distribution of division orders and manuals so that personnel in their respective divisions have access to all information applicable to their jobs.
- c. In addition to division distribution, Division Commanders have the responsibility to ensure distribution of division orders and manuals as follows:
 - (1). One copy to every Assistant Chief (more if needed)
 - (2). One copy to City Legal
 - (3). One copy to the Chief's Office

- d. Assistant Chiefs are responsible for having employees under their command sign for all applicable manuals and orders.

H. Amending and Canceling Directives

1. A directive may be amended or canceled by the Department Supervisor having authority to issue the original directive or by a higher authority.
2. An amendment to a directive is issued to change an existing provision or procedure, cancel or delete a portion of a directive or add a procedure or information. Special Orders temporarily amend General Orders. Amendments to other directives must be of the same class (example: Division Order) and the same number as the original directive.
3. A directive is canceled by a written notice from the issuing authority.

I. Updating and Maintaining Manuals

1. Each employee issued a Directives Manual and a Division Manual is responsible for its proper updating and maintenance. Assistant Chiefs and supervisors ensure that manuals are properly maintained.
2. The following procedure provides for updating the Directives Manual:
 - a. If a new order or other proper written notice cancels a previously issued order, the canceled order is removed from the manual.
 - b. A line is neatly drawn through all indexing data pertaining to the canceled order, if any.
 - c. Any new order is listed in the numerical index.
 - d. The new indexing information is presented in its proper alphabetical sequence in the alphabetical index (if applicable).
 - e. The canceled order is destroyed.
 - f. The assigned number of a canceled order remains in the numerical index.

J. Updating and Maintaining Manuals

1. Master Files

- a. The Department's Planning & Budget Section maintains a master file of current General Orders and Special Orders.
 - (1). The Planning & Budget Section is responsible to maintain a history file of General Orders and Special Orders.
 - (2). This file contains canceled orders which are marked to show when and what replaced the order.
- b. Each division maintains a master file of its effective division orders and operations manual.

- (1). Each Assistant Chief is responsible to maintain a history file of its division orders and memorandums.
 - (2). This file contains canceled orders which are marked to show when and what replaced the order.
- c. The Personnel Unit maintains a master file for current Personnel Orders, and a history file for all personnel orders.

2. Extra copies

- a. The Department's Planning & Budget Section maintains a supply of Department directives, manuals for new personnel and fills the reasonable requests for those missing, lost or worn.
- b. Each division is responsible for providing copies of its division orders/operations manual for new employees or when replacements are needed.

3. Signature Sheets

- a. The Department's Planning & Budget Section maintains the original signature sheets for all issued Department Directives and Manuals.
 - b. Each division maintains the original signature sheet for all issued division directions and manuals.
4. Assistant Chiefs and supervisors ensure that employees turn in all issued manuals upon termination of employment.

K. Other Department Communications

1. Memoranda

- a. Memorandums are a formal method to communicate information from employee to another individual or group.
- b. Memorandums are not considered part of the Department's directive system but may be used to provide temporary or self-canceling directions as follows:
 - (1). The Chief uses memoranda to provide information, or to provide temporary or self-canceling directions.
 - (2). Assistant Chiefs use memoranda to provide information from their area of responsibility to any sergeant of the Department, or to provide temporary or self-canceling directions to employees within their respective division.
 - (3). Any employee, upon the approval of his supervisor, may use the memoranda to provide information from his area of responsibility to any segment of the Department.
 - (4). Any employee may use the memoranda to convey information up the chain of command, make requests, etc., when the message form or e-mail is inadequate or

inappropriate for the information to be conveyed.

- c. Department memoranda are printed and distributed by a section/unit designated by the Chief of Police.
 - d. Department memoranda may go through the Directive Review process prior to printing and distribution. Division-level memoranda are printed and distributed by the division issuing the memoranda. Assistant Chiefs are responsible to see that all employees in their division have access to all applicable memoranda.
 - e. Memoranda used to convey information are self-canceling sixty days after the date of issue unless stated otherwise. Memoranda used to document Department operations or personnel actions are not self-canceling.
 - f. Memoranda consist of a preprinted heading sheet. Topics and subtopics are identified in outline form.
2. Message forms and e-mails are not part of the formal written directives system. Although the message forms and e-mails may be utilized to direct individual subordinates when other directives are not needed, the message form and e-mail are designed to be used by all employees to communicate information from employee to another (i.e. inter-office notes, etc.)
3. Bulletins are issued as needed. The issuing unit prints and distributes bulletins to applicable segments of the Department. Department Bulletins include but are not limited to:
- a. Wanted Persons, Wanted or Stolen Vehicle Bulletins. They include the name, address, description, charge, and offense number for each person and vehicle wanted or stolen.
 - b. Crime Bulletins may be issued by various units throughout the Department. Crime Bulletins are issued as needed to publish information which is not generally contained in other Department bulletins (i.e. Special Robbery Bulletin, Special Intelligence Bulletin, etc.).
 - c. Crime Analysis Bulletins are prepared and issued to concerned personnel of the Department by the section/unit collecting crime analysis data. They consist of high frequency locations, causes and patterns of offenses and other information regarding criminal activity.
 - d. Daily Shift Reports are produced by the Platoon supervisors. The reports contain information pertaining to problems/complaints, significant occurrences and any other information the platoon wants communicated to Department management.

End of General Order 21.06



Waco Police Department General Order



Title: OUTSIDE EMPLOYMENT

Number: 23.04 Effective: 01/01/2011

Cancels: 23.04 Issued: 06/08/2001

Approved:


Chief of Police

23.04.01 POLICY

The Chief of Police shall exercise such control over off duty employment as deemed necessary to ensure on duty efficiency and to prevent possible conflicts of interest with an employee's duties and responsibilities. Employees do not engage in employment outside the Department where the duties would be a violation of Department policy, legal statutes or would reflect unfavorably on the Department or City of Waco. Outside employment is a privilege granted to employees. The Department may prohibit or revoke outside employment for any reason, including employment that is detrimental to the Department or where an employee violates policies and/or procedures.

23.04.02 DEFINITIONS

General Outside Employment: Employment that is not related to law enforcement or security, does not require the use of law enforcement power or authority and does not utilize any Police Department equipment or similar assets.

Police-related Outside Employment: Employment in which an employee is compensated by a person, entity or business other than the City of Waco for the performance of law enforcement duties. For purposes of this definition, the compensation may include payments of money, rent exchange, and/or the barter of other goods or services.

For purposes of this directive, an employee's personally-owned small business or other self-employed business venture qualifies as outside employment under definitions above.

23.04.03 PROCEDURES

A. Prohibited Employment

1. Certain types of outside employment conflict with the broader public interests of the Police Department or may cause the ethics or reputation of the Police Department and its employees to be questioned. In order to avoid such conflicts and questions, no employee shall work any outside employment where:
 - a. the employer charges a fee for, or earns money by, towing or repossessing vehicles, and/or storing such vehicles.
 - b. the employee collects bills or debts, attempts to convince any person to pay a bill or debt, or takes other actions in furtherance of a civil dispute involving financial payments and/or the

possession of property by using their status as a police officer.

- c. the employee would own or have an interest in a private security firm or a private investigation firm, or performs private investigations or assists in the preparation of any plaintiff's or defendant's case for civil or criminal court.
- d. the employee serves or assists in the serving of any civil or criminal legal process (e.g. subpoenas, writs, eviction notices, etc.).
- e. the employer is a security guard company, armored car service, or similar provider of armed or protective services.
- f. the employee provides security or police-related services to a business whose employees are on strike or otherwise assists any party in the furtherance of a labor-management dispute.
- g. the employee provides security or police-related services at a business that derives 51% or more of its income from alcohol sales during the hours that alcoholic beverages are offered for sale or allowed on the premises by the operator of the business.
- h. the employee works at an establishment that primarily sells pornographic items or provides entertainment or services of a sexual nature.

B. Outside Employment Requests

1. The Chief of Police retains ultimate authority to approve or disapprove any application for outside employment, and may deny any such employment that does not promote the best interests of the Police Department, the City or the public. This prerogative applies regardless of whether the denied employment is included among the prohibitions listed above.
2. Prior to engaging in outside employment all employees shall submit a request for approval to the Chief of Police through their chain of command (exception noted in B. 5. a). Each outside employment job requires a separate request. After approval is received, the employee may engage in outside employment.
3. All requests are submitted on an Outside Employment Request form in duplicate to the employee's immediate supervisor. Each supervisor in the employee's chain of command recommends approval or disapproval and forwards the request to the Chief's Office through the chain of command.
4. The Chief or his representative makes the final decision on the following requests:
 - a. Long Term (8 days or more)
 - b. On-going
 - c. Requests of questionable nature
5. The Assistant Chief of the Division that the employee is assigned to may approve short-term employment (7 days or less) that does not conflict with Department policy or state statutes. No officer will continually work the same short-term assignment in a manner calculated to circumvent the approval process and/or intent of this General Order. If the Assistant Chief is unavailable or

time does not allow for an Assistant Chief's approval, a Commander or Acting Commander may approve a short-term employment request.

- a. If time does not permit a short time employment request to be filled out, the employee shall fill one out the first time they come back to work after the employment.
6. All sworn officers who have completed FTI training are eligible for police-related outside employment.
7. The employee's supervisor may require the employee to provide an outside employment work schedule.

C. Request Denials or Suspension of Privileges

1. Approval for outside employment may be denied if:
 - a. the employee seems exhausted physically and/or mentally to the point that on-duty performance is affected.
 - b. excessive sick day usage indicates the employee cannot handle both on duty and outside employment
 - c. it requires special consideration be given to scheduling the employee's regular duty hours.
2. Outside employment requests will not be approved for work that occurs during an employee's regularly scheduled duty unless:
 - a. the employment, for which the officer will be paid overtime, is offered by the City of Waco; or
 - b. The employee's supervisor approves vacation, holiday, or compensatory time to account for the time worked off-duty; or
 - c. outside employment is a single event that begins and ends within the employee's lunch hour for those employees scheduled to work 9 hour days.
3. The Chief of Police may suspend the police-related outside employment privileges of any employee:
 - a. recently disciplined for unsatisfactory performance or violation of any departmental or city regulation, or
 - b. whose on-duty work has been judged by a supervisor to be substandard or in need of improvement or,
 - c. who are on leave with pay
4. Employees who are on restricted duty, injury leave, leave without pay or suspended shall not engage in police-related outside employment.
5. Employees who call in sick shall not engage in any police related outside employment on the same work day unless written approval is first obtained from a supervisor in their Division. Written

approval can be obtained afterwards if oral approval is obtained from a supervisor in their Division prior to the employment.

23.04.04 GENERAL PROCEDURES

- A. Upon arrival at a police-related outside employment site, the employee shall notify Dispatch on channel B or by phone. The information conveyed to Dispatch shall include:
 - 1. the assignment location(s)
 - 2. the officers working the assignment
 - 3. any unusual or unique conditions which Dispatch or on-duty patrol units should be aware of
 - 4. the hours they will be working
- B. Notification to Dispatch is not required if an employee engages in general outside employment or unscheduled, routine patrol and/or enforcement on the grounds of a rental property where he or she lives as part of a rent exchange.
- C. Employees shall immediately notify an on-duty supervisor of any police-related outside employment incident involving an injury, use of force, damage to departmental property, damage to private or public property that was caused by the officer, or any incident reasonably likely to be of interest to the news media.
- D. Off duty employees working for an outside employer will notify an on-duty patrol supervisor before signing a Peace Officers Emergency Detention Order.
- E. Employees shall not disclose any confidential law enforcement data to an outside employer. Neither shall employees personally access or use such data during the course of outside employment, except as necessary to process an arrest or otherwise conduct a legitimate law enforcement investigation.
- F. Employees shall not perform outside employment while on duty at Waco PD.
- G. Employees shall mark their city time sheets to accurately indicate when the employee is on duty. If an officer leaves to work an off duty job during a work shift, the time out and back shall be documented on the time sheet.

23.04.05 EMPLOYEE'S DEPARTMENTAL OBLIGATIONS

- A. Permission to work police-related outside employment is contingent upon the following requirements:
 - 1. An employee's primary employment responsibility remains with the Police Department at all times, even when the employee is actually on-site at an outside employment assignment
 - 2. An employee at an outside employment assignment may be called back to duty with Waco PD at any time, regardless of whether the outside employer agrees.
 - 3. Upon notification of such call back, the employee shall immediately cease work for the outside employer and report for duty.

4. While engaged in police-related outside employment, employees shall adhere to all applicable Department and Division directives, procedures and orders.

23.04.06 RECORD KEEPING

- A. Outside Employment Requests are valid only during the calendar year in which they are submitted. All requests expire on December 31st. Existing requests are not renewable and must be resubmitted prior to December 1st for approval by January 1st. Each outside employment job requires a separate request.
- B. A computerized database of approved requests will be maintained by Planning on the Department's computer network.
- C. The duplicate copy is returned to the concerned employee with approval or disapproval noted.

23.04.07 EMPLOYMENT BY INDIVIDUALS, BUSINESSES OR ORGANIZATIONS OUTSIDE THE DEPARTMENT

- A. When a person contacts the Department desiring an officer to work, the Department's Overtime Coordinator handles the request as per General Order 42.01, Overtime Assignment.

23.04.08 EMPLOYMENT BY OTHER CITY DEPARTMENTS

- A. When police service for other City Departments is needed, consideration is first given to assigning on duty officers. When regular on duty officers are not available, officers are assigned at the location on overtime according to current policy. Overtime is normally charged to the City Department requesting the police service.
 1. The City Charter does not allow officers to work off duty security for other City Departments and be paid from the City Treasury (receive dual pay). This does not preclude an officer working functions for other City Departments and receiving pay from proceeds of the function, (i.e., dances, special events).
 2. Employment at City or Department sanctioned jobs need not have a request for each employee. The supervisor in charge completes and forwards a list of names and times scheduled to work to appropriate personnel.

23.04.09 EMPLOYMENT OUTSIDE THE CITY LIMITS

- A. Officers cannot accept police related outside employment outside the corporate limits of the City of Waco unless prior approval is granted in writing by the Chief of Police
- B. Funeral escorts beginning inside the City may continue outside the City, but terminate at the McLennan County line.

23.04.10 UNIFORMS

- A. All police-related outside employment shall be worked in full uniform (what is worn on a Patrol shift) unless written permission to work in other clothing has been granted by the Chief of Police.

End of General Order 23.04



Waco Police Department General Order



**Title: TELEPHONE USE AND
CORRESPONDENCE**

Number: 23.05

Effective: 09/10/2014

Cancels: 23.05

Issued: 11/09/1992

Approved:

Brent E. Thomas
Chief of Police

23.05.01 POLICY

Employees use proper telephone etiquette, answer telephones promptly and provide the caller the section/unit and their first or last name. Personal calls by employees or citizens are not allowed to the extent that it interferes with Department business or job performance.

23.05.02 PROCEDURES

A. Use of Department Telephone

1. Department telephones are not for personal, long distance calls by employees, citizens or arrested persons.
2. Employees who make a long distance telephone call or receive a collect telephone call and charge it to the Department must be able to justify it.
3. Long distance service companies are used when making long distance calls on Department business using the following procedure:
 - a. Dial access number 9 and wait for tone
 - b. Dial 1 plus area code and number desired
 - c. Wait for tone, then the employee uses their assigned long distance code
4. Employees are responsible to answer the telephone and identify the section/unit in which they work followed by their name. Every effort is made to assist the caller:
 - a. In resolving the business called about before transferring the call.
 - b. If the specific person requested is unavailable.
5. An employee transferring a call to another person identifies himself, the caller and the business being inquired about.
6. If a specific service is called about and the person assigned to render this service is unavailable, the employee answering the direct or transferred call is responsible to assist the caller and attempt to resolve the business.

7. Employees making inside calls to other police or City extensions announce their name. The same courtesy is extended to calls outside the City unless a police-related reason justifies an exception.
8. Employees will check their voicemail on a regular basis and respond to messages as appropriate.

23.05.03 CORRESPONDENCE

- A. Administrative correspondence leaving the Department is signed or approved by the Chief.
- B. Routine or operational correspondence may be signed by the officer sending it, provided it has been authorized by their commanding officer.
- C. Correspondence that is mass produced or form letters that outline Department policy is approved by the Chief of Police prior to distribution.
- D. Employees will not use Department letterhead or postage for private correspondence.
- E. Employees do not use the Department fax or copy machines for personal use unless they pay for their personal fax or as otherwise authorized by the Chief of Police or his designee.

23.05.04 PERSONAL TELEPHONE AND ADDRESS

- A. An employee who gives a long distance number as their contact telephone number for the Department must be willing to accept collect calls from the Department.
- B. Employees keep the Department informed of their current residence address and a telephone number.
- C. Changes are reported within twenty-four (24) hours to the employee's supervisor on the current City HR form located on the Employee Intranet under HR forms.
 1. The employee change of address/phone number form is routed to the Personnel Unit who will forward to the following:
 - a. Chief's Office
 - b. Division Assistant Chiefs
 - c. Dispatch
 - d. City HR
- D. Employees notify their supervisor and the Communications Supervisor and leave a temporary alternate phone number when their phone is out of order.

End of General Order 23.05



Waco Police Department General Order



Title: POLICE HONOR GUARD

Number: 23.06 Effective: 03/01/2009

Cancels: 23.06 Issued: 05/15/1996

Approved:

Brent E. Stoman
Chief of Police

23.06.01 POLICY

The purpose of the Police Honor Guard is to show respect and honor for law enforcement personnel in life as well as in death. The Department recognizes the need for a voluntary Honor Guard to represent the Department at funerals and other functions. An Honor Guard Standard Operating Procedure (SOP) manual outlines the structure and available services which are offered.

23.06.02 PROCEDURES

A. Organization

1. The Criminal Investigations Division Assistant Chief has overall responsibility of the Honor Guard and appoints the Officer in Charge. The Assistant Chief may designate a Commander to act as liaison between the Officer in Charge and the Division Assistant Chief.
2. Membership in the Honor Guard is voluntary and may encompass all grades of Sworn personnel. Interested personnel must submit a message form to the Officer in Charge of the Honor Guard.
3. Membership is limited to 20 members.
4. All Honor Guard members must observe procedures detailed in the Honor Guard SOP manual.
5. All training and participation is performed on-duty during a member's regular work hours or through an adjustment of hours. Overtime or comp time will be paid if adjustments cannot be made.

B. Participation in Functions

1. The Honor Guard may represent the Department at functions provided they are within 200 miles of Waco. Exceptions to the 200-mile limit may be authorized by the Division Chief. Factors to consider include type of event, time, distance and available personnel. Examples of functions include but are not limited to: Police Memorial Day, parades, swearing-in ceremonies, etc.

C. Participation at Funerals

1. In the event of a line-of-duty death of a commissioned officer or civilian employee, the Officer

in Charge of the Honor Guard shall be notified immediately to coordinate the funeral detail. The family's wishes will be followed whenever possible.

2. In the event of the death of a current commissioned officer, the Officer in Charge of the Honor Guard will coordinate the funeral detail. The family's wishes will be followed whenever possible.
3. In the event of the death of a current civilian employee, the Officer in Charge of the Honor Guard will arrange for two members of the Honor Guard to attend the services of that employee.
4. In the event of the death of an immediate family member of a current commissioned officer, the Honor Guard may attend as representatives of the Department.
5. In the event of a line-of-duty death of a commissioned officer or the death of an active or retired commissioned officer from another jurisdiction, the Honor Guard may represent the Department at the funeral provided it is within 200 miles of Waco. Exceptions to the 200- mile limit may be authorized by the Division Chief.
6. The Honor Guard may be directed to provide services for other funerals at the direction of the Chief of Police.

D. Honor Guard Representation at Funerals of Former or Retired Officers

1. In order to have an Honor Guard at their funeral, former or retired officers must have been Honorably Discharged from the Department as defined by the Texas Commission on Law Enforcement Standards and Education. The requirements are:
 - a. Retired in good standing
 - b. Resigned in good standing to pursue a non-law enforcement career
 - c. Resigned in good standing to pursue a law enforcement career
 - d. Killed in the line of duty – (Killed as a directly attributed result of personal injury sustained while on duty)
 - e. Died while in good standing with the agency
 - f. Disabled while in good standing, unable to perform duties – (Medical condition or injury received on or off duty)
 - g. Position was eliminated, with officer in good standing.
2. The designation of Honorably Discharged will be recorded on the former or retiree's personnel card in the Chief's office.
3. At the time of retirement or resignation, the officer will be informed of their type of discharge and of the subsequent services they may be entitled to.
4. After leaving employment with the Department, former or retired officers that bring dishonor to

the Department by virtue of conduct resulting in arrest lose their privilege to have an Honor Guard at their funeral.

E. Criteria

1. All requests for the services of the Police Department Honor Guard are forwarded to the Officer in Charge of the Honor Guard. The Officer in Charge of the Honor Guard notifies the Chief's Office of the request.
2. A written request to attend a funeral/function is completed by the Officer in Charge and forwarded through their chain of command.
3. Officers assigned to the Honor Guard will travel to functions in police department vehicles. Additional officers may travel in police vehicles with the approval of the Division Chief.
4. All travel must be in compliance with City policy. Travel expenses are paid per Department/City policy.

End of General Order 23.06



Waco Police Department General Order



**Title: CARE OF PROPERTY
TCPA 1.12**

Number: 23.07 Effective: 03/01/2018

Approved: _____

Chief of Police

Cancels: 23.07 Issued: 09/10/2014

23.07.01 POLICY

Department employees maintain property and equipment in good condition and proper working order. Supervisors ensure proper use of all Department property and equipment. Sworn & non-sworn personnel will sign for all equipment & other items when issued & when leaving the department. This is handled by Planning.

23.07.02 PROCEDURES

A. Abuse or Misuse of Property and Equipment

1. Employees must immediately report in writing to their section commander through the chain of command any loss or damage of property assigned to or used by them. Supervisors are to determine whether the employee was negligent. If the loss or damage was incurred through personal negligence, the employee may be subject to disciplinary action.
2. The immediate supervisor is to be notified of any defect or hazardous condition found in any Department equipment or property. If the condition is serious, the supervisor shall report the defect or hazard to his division commander through the chain of command.

B. Replacement of Personal Property

1. Any material damage to private, real or personal property resulting from the performance of official duties is to be promptly reported to the employee's immediate supervisor.
 - a. Any claims for damage or loss of personal equipment owned by an employee caused by performance of duty is made in writing through the chain of command to the Chief of Police within five (5) days of the loss or damage. Reimbursement for damage or loss must be approved by the Chief of Police.
 - b. Personal property that is lost, damaged or destroyed due to negligence on the employee's part is not replaced or repaired by the Department.
 - c. Only personal property necessary for an employee's job is considered for replacement or repair.
2. The maximum amount to be paid on replacement or repair of personal property will not exceed \$100.00 with approval of the Assistant Chief.

3. The amount paid on prescription eye wear is determined on an individual basis.
4. If an officer chooses to use non-issued equipment, i.e., a pistol, and it is damaged in the line of duty, the reimbursement will not exceed the cost of the City issued equipment.

C. Care of Department Buildings and Premises

1. Material is not to be affixed to any surface in the Department building without specific authorization from the supervisor responsible for the area.
2. All trash is to be properly deposited into trash receptacles within the Department building, on the parking lot or premises.

D. Posted Notices

1. There are a total of four Department bulletin boards. One is located on the first floor and the other on the second floor; both are near the time clocks. These bulletin boards are for official Department communication. There is also a bulletin board on the second floor near the time clock where Police Association information is posted. A bulletin board is also located on the tenth floor as you exit the elevator lobby. This is for personal notices. Obscene, derogatory, unprofessional material will not be posted on the bulletin boards. Notes are to be dated and are removed in a reasonable amount of time.
2. Employees are not to mark, alter, deface or remove posted notices of the Department except with permission of the Chief of Police or commanding officer responsible for the notice.
3. Non-departmental bulletin boards are the responsibility of the division commander responsible for the area where the bulletin board is located.

E. Clothing and Equipment Benefits

1. The Department provides appropriate uniforms and equipment to employees respective of their different jobs. Employees must sign an inventory sheet when receiving and returning Department issued equipment. This inventory and sheet is maintained by Planning.

End of General Order 23.07



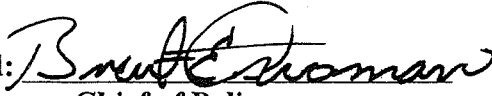
Waco Police Department General Order



Title: PUBLIC AND POLITICAL ACTIVITY

Number: 23.08 Effective: 12/10/2014

Cancels: 23.08 Issued: 11/09/1992

Approved: 
Chief of Police

23.08.01 POLICY

The Department recognizes the right of employees to be politically active in the party or candidacy of their choice unless otherwise stated in this General Order.

23.08.02 PROCEDURES

A. Political Activity

1. Employees may not actively campaign for or against any elected position while on duty or in uniform, including:
 - a. Passing out cards or other political literature
 - b. Writing letters or signing petitions
 - c. Actively and openly soliciting votes or funds
 - d. Making public derogatory remarks about a candidate
 - e. Being a checker, watcher or challenger for any political candidate, party or group
2. Employees do not use their connection with the Department to campaign for or against or to solicit any votes for any political candidate or party.
3. Employees cannot require subordinates to contribute to any political fund, render any political services or coerce them to participate or refrain from participating in any political campaigning.

B. Public Rights of Employees

1. Nothing herein affects the right of an employee to:
 - a. Be a candidate for or hold an office not otherwise prohibited by law
 - b. Hold membership in and support the political party of his/her choice
 - c. Vote as the employee chooses

- d. Express an opinion on political subjects and candidates when off duty and when not otherwise prohibited by our department policy.
- e. Be a member of or hold office in any civic club, board or organization where there is no conflict of interest.

End of General Order 23.08



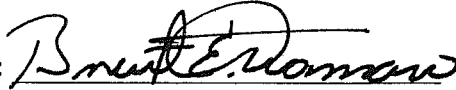
Waco Police Department General Order



**Title: OUTSIDE SCHOOLS, SEMINARS/
CONFERENCES AT OWN EXPENSE**

Number: 23.10 Effective: 12/10/2014

Cancels: 23.10 Issued: 12/13/1993

Approved: 
Chief of Police

23.10.01 POLICY

The Department allows employees to attend outside duty related conferences and seminars on City time at the employee's own expense, provided they are job related.

23.10.02 PROCEDURES

A. Responsibility

1. Leave is on City time, but at the employee's own expense. Days off are not changed in order to attend schools, seminars/conferences on City time.
2. The Training Section/Unit evaluates the conference or seminar for its relatedness to the employee's responsibilities.
3. The employee's immediate supervisor recommends that the request be approved or disapproved based on Department staffing needs.
 - a. The supervisor must acknowledge that overtime is not going to be expended to fill the vacancy.
 - b. The request is forwarded to Training Section/Unit through the chain of command for consideration.
4. If more than one request is received to attend the same conference/seminar and staffing permits only one employee to attend, the Division Assistant Chief resolves the conflict by considering the number of schools attended in the past as well as seniority of the employees.
5. The Division Assistant Chief notifies the employee of the decision and sends a copy of the approval/disapproval to the Chief.

B. The Attending Employee Signs an Agreement Stating That The Employee:

1. Acknowledges the conference/seminar is being voluntarily attended
2. Is aware that overtime/compensatory time is not awarded
3. Is willing to prepare a detailed report of the conference/seminar upon return and teaches the subject matter if requested.

End of General Order 23.10



Waco Police Department General Order



Title: TRAVEL

Number: 23.12 Effective: 01/01/2016

Cancels: 23.12 Issued: 09/12/2000

Approved:

Brent E. Roman
Chief of Police

23.12.01 POLICY

Employees traveling outside McLennan County on Department business of any type shall submit an Individual Request for Authority to Travel (copy attached) and complete a Travel Worksheet/Advance Request (copy attached). Travel will be conducted in accordance with City Policy (GP & P-).

23.12.02 PROCEDURES

A. Requirements

1. Employee submits a completed single Request for Authority to travel form to their supervisor who submits the request to the Assistant Chief for approval.
2. Employee submits a completed Waco Police Department Travel Worksheet/Advance Request to their supervisor.
3. If travel is to a school, seminar or conference, literature describing the training is attached to the request.
4. Supervisors ensure funds are available prior to approving request.
5. Requests to travel are approved by the Assistant Chief and the Waco Police Department Travel Worksheet/Advance Requests are approved by the employee's Chain of Command.
6. All requests are submitted to the Planning & Budget Section as much in advance as possible as time constraints may cause a request to be denied.
7. Travel Advances and related documentation will be made available to the traveler by the Planning and Budget Section prior to the departure date.
8. No travel plans will be made for anyone who has outstanding travel Expense Reports.
9. Trips outside of McLennan County not greater than 120 miles from Waco and if all activities occurring in the same day are considered Day trips and employees may add a Meal Reimbursement request to their time record.

B. Expenses

1. Per diem meal rates as published by the Internal Revenue Service is the guideline for meal

reimbursement based upon the location the traveler has reached.

2. Each traveler will be furnished a Travel Expense Report form to document expenses in connection with travel (copy attached). These forms shall be completed by the traveler and returned to the Planning & Budget Section within three working days of the trip's completion. Original receipts are expected for any item except meals. Any travel expense reimbursed from petty cash must be documented with a signed receipt.
3. Travel forms and City Travel Police are located on the M Drive/PDTransfer/Forms.
4. Fleet Fuel credit cards for travel are maintained by the Planning & Budget Section and are checked out prior to departure and a Request for Authority to Travel must be provided at the time the card is issued. The Fleet Card and signed original receipts are due back to the Planning & Budget Section within three days of the traveler's return. Mileage is reimbursed for use of a personal vehicle at a rate established by City policy. The Department decides on an employee's use of a vehicle for travel. Fleet Cards are never used for personal vehicles.

End of General Order 23.12

Request For Authority to Travel

City of Waco



Department
Number: _____

Department
Name: _____

Name of Traveler

Signature of Traveler

I/we request permission to travel and be reimbursed by the City of Waco for allowable expenses incurred on the following trip:

Destination (City, State)

Purpose of Trip

Leaving Waco (Date)

And Returning (Date)

I/we will be traveling by (check appropriate box): ☐ City Vehicle ☐ Private Vehicle ☐ Airline

Department Level Approval: _____

City Manager's Office Approval: _____

*** TRAVEL ADVANCES AND REGISTRATION PAYMENTS WILL NOT BE MADE UNTIL THIS FORM IS COMPLETED AND APPROVED ***

Waco Police Department
Travel Worksheet / Advance Request

To _____ Date _____

From _____ Traveler _____

Event _____

Dates _____ Destination _____

Date of Departure _____ Date of Return _____

Method of Travel City Vehicle Personal Vehicle Airplane

Registration Cost _____ Registration Deadline _____ Date Paid _____

Hotel Confirmation # _____ Sharing with _____ Total est w/tax _____

Per diem rate if different while traveling to destination _____ x _____ days = _____

Meals GSA.GOV per diem rate for destination _____ x _____ days = _____

Mileage for Personal Vehicle estimated miles _____ x .575 = _____

Other Expenses _____

Airline Ticket# _____ Travel Agency _____ Ticket Cost _____

Rental Car total estimated cost _____ for _____ days / weeks _____

Total to Advance _____

Total Cost _____

Funding Source: Dept. Budget Forfeiture Funds Grant Other

Account number(s) to charge _____

Will work hours be adjusted for this trip? Yes / No

Will overtime hours be paid for this travel time? Yes / No

Will overtime hours be paid to staff while traveler is gone? Yes / No

Approved / Denied Sergeant _____ Date _____

Approved / Denied Commander _____ Date _____

Approved / Denied Assistant Chief _____ Date _____



Revised: 2/25/05



Waco Police Department General Order



**Title: RADIO COMMUNICATIONS/
NUMBERING SYSTEM**

Number: 23.18

Effective: 02/01/2013

Cancels: 23.18

Effective: 11/02/2003

Approved:

Chief of Police

23.18.01 PROCEDURE

A. Communications

1. Officers engaged in a field assignment must have access to radio communications.
2. Officers notify Dispatch:
 - a. When checking in or out of service;
 - b. Upon arrival at the scene of an incident;
 - c. When making vehicle or pedestrian stops;
 - d. During any foot or vehicular pursuit;
 - e. At other times as appropriate.
3. Radio communications are made in simple, direct terms utilizing Ten Signal Codes or terms common to Department operations.

23.18.02 NUMBERING SYSTEM

A. Patrol Units

1. The first number represents the officer's shift.
2. The second number represents the officer's district.
3. The third number represents the officer's beat or designates a District Supervisor.
4. The fourth number represents primary or secondary officers. The "0" denotes a primary unit and "1,2,3" etc. denotes a secondary unit.

B. Division/Section/Unit

1. The supervisor in charge of the respective division/section/unit is responsible for assigning call numbers to their personnel and notifying Communications, Division Commanders and the Chief of Police in writing. The following numbers are currently used in the Department.

C. Special Assignments

- | | |
|--------------------------------------|----------------------|
| 1. SWAT | 410, 420, 430 Series |
| 2. Negotiators | 440 Series |
| 3. S.T.E.P. | 540 Series |
| 4. Park Patrol | 550 Series |
| 5. Public Improvement District (PID) | 4210-4213 |

D. Support Services Division

- | | |
|---|------------|
| 1. Animal Control Unit | 470 Series |
| 2. Crime Scene Sergeant | 510 |
| 3. Crime Scene Unit | 510 Series |
| 4. Criminal Intelligence / Public Information | 760 Series |
| 5. Computer Crimes Unit | 560 Series |

E. Management Services

- | | |
|--------------|---------|
| 1. Training- | 460-464 |
| 2. Personnel | 465-469 |

F. Community Services Division (Patrol)

- | | |
|---------------------------|------------|
| 1. Patrol Office Sergeant | 400 |
| 2. Warrant Officer | 404 |
| 3. Traffic Unit | 450 Series |
| 4. Street Crimes Sergeant | 590 |
| 5. Street Crimes Unit | 530 Series |
| 6. Canine Unit | 500 Series |

G. Criminal Investigations Division

- | | |
|------------------------------------|-----------------|
| 1. Drug Enforcement Section | 660, 680 Series |
| 2. Criminal Investigations Section | |
| a. Special Crimes | 740 Series |

b. Crimes Against Children	750 Series
c. Family Violence	770 Series
d. S.A.F.E. Unit	570 Series
e. Victim Services	406-409
f. School Resource Officer	480 Series
g. Community Outreach	520 Series
h. Neighborhood Detectives	
(1). District 1	710 Series
(2). District 2	720 Series
(3). District 3	730 Series

H. Command Personnel

1. Shift 1 Commanders	901, 902
2. Shift 2 Commanders	903, 904
3. Shift 3 Commanders	905, 906
4. Patrol Administrative Commander	907
5. Criminal Investigations Commander	908
6. Management Services Commander	909
7. Drug Enforcement Commander	910

I. Administration

1. Chief of Police	801
2. Criminal Investigations Assistant Chief	802
3. Community Services Division Assistant Chief	803
4. Support Services Assistant Chief	804
5. Professional Standards and Conduct	806



Waco Police Department General Order



**Title: REQUESTS FOR SPECIALIZED
PATROL/SECURITY CHECKS**

Number: 23.19 Effective: 02/01/2016

Cancels: 23.19 Issued: 12/13/1993

Approved:

Chief of Police

23.19.01 POLICY

The Department does not provide specialized patrol or security checks due to the number of calls for service and the priority placed on service calls.

23.19.02 PROCEDURES

A. Business Hours Requests

1. Requests are referred to the Community Outreach Section who inform the citizen:

- a. of the Department's policy
- b. that the Department cannot assure them that officers will have time to perform their request
- c. that information about occupants on vacation and burglar alarms not working, etc. is forwarded to the Community Services Division to make the beat officer aware of the request
- d. of crime prevention information (i.e. residential security survey, mail crime prevention pamphlets)

2. The Community Outreach Section forwards the information to the Community Services Division

B. After Hours Requests

1. Employees taking the request after hours explain the Department policy
2. Forward a written message form to the Community Outreach Section with:
 - a. name, address and phone number of caller
 - b. location of concerned property
 - c. time and date received
 - d. dates property is unattended

End of General Order 23.19



Waco Police Department General Order



Title: PERSONAL APPEARANCE

Number: 23.21 **Effective:** 03/20/11

Cancels: 23.21 **Issued:** 01/01/11

Approved: 
Chief of Police

23.21.01 POLICY

Department employees strive to maintain the highest standards of personal appearance at all times as employees of the Department are among the most conspicuous representatives of City government. Supervisors ensure that employees under their command adhere to the standards of uniformity and appearance. Temporary exceptions to this policy may be authorized by the Division Assistant Chief. Permanent exceptions to this policy require approval by the Chief of Police.

23.21.02 DEFINITIONS

Jeans – a durable, twilled cotton cloth—trousers of this type (i.e. colored denim, other than blue)

Denim – a course, twilled cotton cloth

Twilled – woven of double thread—a cloth woven with parallel, diagonal lines

Dungaree – a coarse, cotton cloth, specifically blue denim, work trousers or overalls of this material

Pullover Shirt – Males—have standard shirt collar, two (2) to four (4) buttons (no zippers), are worn tucked into pants, monogram not larger than 2"x2" is acceptable (no sports teams or sports equipment), are of solid colors (i.e., stripe, plaid), no murals

Banded Collars – on dress shirts only

Pullover Sweaters – present a neat, professional appearance; do not display large logos, cartoons, sports teams or equipment advertisements. Murals depict scenes suitable for office attire

Mural – geometric designs or scenic depictions of landscapes, persons, animals or objects of nature (i.e. leaves, snowflakes)

Department Issued Equipment – Any equipment issued to commissioned or non-commissioned employees for on-duty or approved off-duty situations

Beach style flip flop – sandal type shoe with flat foam soles and plastic straps

23.21.03 PROCEDURES

A. Articles of the Department Uniform

1. Uniform Cap

a. Wearing the issued uniform cap is optional except:

- (1) When formal dress is considered appropriate (i.e. funerals, ceremonial occasions, etc.).
- (2) In cold weather, officers may substitute a black or navy blue winter trooper type cap or watch cap of the type approved by the Chief of Police.

b. All other types of caps are not allowed, including baseball type caps.

2. Uniform Jacket/Windbreaker/Raincoat

- a. Black leather jackets of the type specifically approved by the Chief of Police may be worn on duty.
- b. Badge patches, Sergeant chevrons and shoulder patches are worn on the Department issued and approved jackets including the 5.11 jacket liner that can be worn alone (exceptions: leather jackets, raincoats and the external shell of the 5.11 system)
- c. Officers wear the reflective vest or the windbreaker/raincoat with the high visibility side out when directing traffic or working a vehicle crash **unless an emergency or officer safety situation exists.**

3. Uniform Shirts/Pants/Tie

- a. Shirts are buttoned at all times with exception of the collar button.
- b. Long sleeves are worn down and buttoned.
 - (1) Undershirts, if worn, are white, blue, navy blue or black.
 - (2) Turtlenecks, if worn, follow the same requirements for undershirts, except the collar does not extend above the uniform shirt collar. Ascots are worn only by the Honor Guard.
 - (3) Sleeves of either of the above garments do not extend beyond the bottom of the sleeves of the uniform shirt.
- c. The tie is optional wear except when formal dress is considered appropriate. The tie is never worn with the short sleeve shirt.
- d. Uniform pants are worn with the uniform shirt.
- e. Personnel assigned to either the K-9 or Crime Scene Units may wear tactical pants while performing these duties.

4. Department issued insignias/badges are worn as follows:

- a. **Name Plate** – worn with the uniform at all times on the uniform shirt right pocket. **(Mandatory)**
- b. **Department Badge** – worn on the uniform in the pre-sewn holes or eyelets above the left shirt pocket. The badges are coated with a lacquer type substance and are cleaned with a soft damp cloth. Cleaners may cause irreversible damage. **(Mandatory)**
- c. **Award Badge/Cluster Holder** – worn centered and one-fourth (1/4) inch above the right shirt pocket (above section pin, if worn). Awards are worn in rows of two (2) with the least significant worn on the left. Each subsequent award is worn next in line according to significance, left to right (General Order 43.04). Once three (3) awards are worn, the third is worn in a second row centered above the first. Third and fourth awards are worn on row 2, in order of significance, left to right. Other awards are worn in this same sequence. Only one (1) of each award is worn. Multiple awards are indicated by the wearing of devices on the first award. **(Optional)**
- d. **Metal Insignia Pins** – section pins and specialty pins, such as SWAT or K-9 are worn centered above the right shirt pocket and below the awards cluster. **(Optional)**
- e. **Uniform patches** – worn on each sleeve of the uniform shirt, centered one (1) inch down from the shoulder seam. Patches designating civilian employees are positioned and sewn on the sleeves of their uniform shirt with the top of the patch one (1) inch below the police shoulder patch. **(Mandatory)**
- f. **Sergeant Chevrons** – Department-issued only, centered under the shoulder patch with one-half (1/2) inch space between the bottom point of the patch and the top point of the chevron. **(Mandatory)**
- g. **Rank Insignia for the Commander** – one inch gold oak leaf, military style, worn on each side of the collar of the uniform and epaulets of Department jackets. Positioned one (1) inch from front edge of collar and centered on the collar. Positioned one-half (1/2) inch from the shoulder seam and centered on the epaulets of the jacket. **(Mandatory)**
- h. **Rank Insignia for the Assistant Chief** – one inch gold star, military style--same requirements as for Commander's oak leaf. **(Mandatory)**
- i. **Insignia, badge, nameplate, etc.** – not worn on the lightweight jacket or raincoat unless the jacket or raincoat is designed for this.

B. Items Not Issued By The Department

1. Shoes/Boots

- a. Black, round-toed, conventional walking heels and of a military-style without ornamental patterns or buckles, straps or buttons
 - (1) High heels, open toes, pointed toe or strap heels are not worn with the uniform.
 - (2) Sport-type shoes with bright colored logos are not permitted unless the logo is removed

or blacked out with a permanent stain.

- b. May be sport or military type if they have black leather like tops and black rubber soles.
- c. Footwear is kept clean, neat and polished.

2. Socks

- a. Black or navy blue socks or hose are worn with the uniform. White socks are permitted provided they do not show, except as in c. below.
- b. Female officer in uniform may also wear hose in natural shades
- c. Employees with a medical condition which precludes wearing black or navy blue socks may wear white socks. Supervisors may require that the employee bring a doctor's written verification of the condition.

3. Jewelry

- a. Only female officers may wear a single pair of stud type earrings in their ears.
- b. Pendants or single strand necklaces may be worn but **may not be visible with** the open collar.
- c. Officer may wear two rings per hand while in uniform.
- d. One bracelet may be worn. If a bracelet and a watch are both worn, they will be worn on opposite wrists.
- e. Watchbands are metallic, or if of another material, are of dark, subdued colors.
- f. Buttons, badges, pins, medals or similar symbols, **not issued by the Department**, are not worn unless approved by the Chief of Police except for non-ornamental tie pin.

4. Gloves

- a. This section does not apply to latex/vinyl gloves officers use to handle prisoners, etc., nor to approved gloves used by officers when dusting for prints.
- b. Must be single color of either dark blue or black.
- c. Worn to protect officers from any one or all of the following: weather, cuts, needle sticks, body fluids. The gloves must be designed or manufactured for that purpose.
- d. Gloves must not be weighted in any manner, nor have the fingers cut off unless approved by the Chief for use in a specific assignment, i.e. bike patrol.

C. Wearing of the Uniform/Equipment

- 1. All articles of uniform and equipment will conform to Department policies and procedures and will be kept in a clean and neat condition

2. Articles of the uniform are not worn with civilian clothing
3. The uniform or any part of issued equipment is not to be altered without the permission of the Chief of Police (does not apply to regular sizing alterations or tapering of the pants).
4. The Chief of Police may authorize a special uniform for officers working special assignment. An updated list of units and/or individuals authorized special uniforms, and the special uniform authorized, is kept in Planning and a copy furnished to Patrol.
 - a. All officers will be issued standard Patrol uniforms which they will wear when working a uniform Patrol assignment (i.e. Patrol, minimum staffing, STEP, Park Patrol, etc.).
 - b. The Chief of Police or an Assistant Chief may authorize an officer to wear a special uniform when working a uniform Patrol assignment if the officer has to immediately report to a uniform Patrol assignment and there is not sufficient time to change (i.e. SWAT officers that have just finished responding to a barricade situation).
5. Patrol officers will wear approved uniform apparel on duty unless otherwise directed by an Assistant Chief.
6. Employees must have approval from the appropriate Division Assistant Chief to represent the Department while off duty while wearing any Department uniform.
7. All sworn personnel wearing the uniform must meet the grooming standards applicable to the wearing of the uniform.
8. Officers wearing the uniform should be in full uniform at all times regardless of their duties.
9. Off duty employees may wear their full uniforms while:
 - a. Going to and from work
 - b. Performing off duty employment of an official nature (with approval of the Chief of Police)
 - c. While working part-time/off duty, commissioned personnel will wear the Department-issued standard uniform. Specialized uniforms will not be worn for part-time/off-duty employment. Requests for exceptions will be noted or attached to the outside employment request.
10. Full uniform is defined as the Department uniform with Department badge, patches and insignia, name plate and the pistol belt with: Department authorized or issued pistol and holster, two (2) magazines and double magazine holder, handcuffs and case, Freeze +P case (if certified), the Department issued or approved personally owned bullet resistant vest, flashlight and a handie talkie radio. The Department issued or approved impact weapon and case (if certified) and ECD (if certified) are optional.
11. Employees attending functions such as training, in service schools, meetings or firearms qualification comply with all appearance specifications of the function attended.
 - a. When no dress standards are specific, employees may wear casual, comfortable clothing appropriate to the nature of the function.

- b. Adhere to the same grooming guidelines for non-uniform commissioned or civilian personnel.
 - c. Inappropriate casual clothing includes any articles with cartoon characters, mottos, poems or writings of any sexual, racial or violent content.
 - d. Unless otherwise directed by training staff, employees do not wear shorts while attending functions.
 - e. Unless exempted by the Chief of Police, all sworn personnel qualify on the firearms course with the same weapon, holster and pistol belt configuration that they wear while on duty.
12. Non-uniformed sworn employees are to wear a weapon, at least one (1) reload, badge and ID card while on duty.
13. Weapons are not stored in unlocked desks, lockers or in any readily accessible area.

D. Personal Appearance

1. Uniformed Males

- a. Hair is of a style to present an overall neat and professional appearance at all times.
- b. The maximum depth of hair outward from the scalp is limited to two (2) inches and does not extend past the top of the ear.
- c. Hair is not of unnatural colors (i.e. blue, orange, green).
- d. Ornate designs, logos or names are not cut into the hair or scalp.
- e. Permanent or natural hairstyles are permitted provided the standards of this section are met.
- f. Hair is trimmed and does not extend past the top of the shirt collar in a normal standing position.
- g. Wigs/toupees are permitted provided they meet the prescribed hair requirements.
- h. The face is clean shaven. Mustaches are permitted and are neatly trimmed and do not extend over the top of the upper lip or more than one-half (1/2) inch beyond the corner of the mouth or below the corner of the mouth. Extreme styles such as handlebar mustaches are not worn.
- i. Beards and goatees are not worn by uniformed employees unless to perform a specific police duty and approved by the Chief of Police.
- j. Sideburns are to be neatly trimmed and do not extend downward below the lowest portion of the earlobe. They are not flared but even in width and end in a clean shaven horizontal line.
- k. Employees with a medical condition precluding shaving may be required by their supervisor to present a written statement signed by a medical doctor verifying such condition.

2. Uniformed Females

- a. Wear their hair in a style which is neat and does not extend more than two (2) inches below the bottom of the shirt collar. Longer hair is worn pinned “up”, ex. French braid, bun, etc.
- b. Ponytails, pigtails and large bouffants are not permitted.
- c. Hair is not of unnatural colors (i.e. blue, orange, green).
- d. Ornate designs, logos or names are not cut into the hair or scalp.
- e. Decorative hair clasps, large clips, ribbons, etc. are not permitted. Visible items holding hair in place are a color and style which blends with the hair.
- f. Wigs and natural or permanent hairstyles are acceptable provided they meet the standards in this section.
- g. Make-up is conservative and does not present a gaudy appearance.

3. Non-uniformed Males—Commissioned

- a. Adhere to the same grooming guidelines given for uniformed male employees in Section D, 1 of this policy.
- b. Non-uniformed male employees may wear casual clothing, to include colored jeans, that would be acceptable in a business setting. Clothing is neat and not faded. A jacket and tie are not required for daily wear. Employees must wear a jacket and tie when the situation would normally warrant a more formal dress, i.e. court appearance or City Council meeting.
- c. Acceptable clothing will include button down shirts, banded collar shirts, pullover shirts, dress slacks, colored jeans, Docker slacks, western dress slacks and 5.11 tactical style pants.
- d. Unless otherwise authorized, blue dungarees, sweat pants, wind suits and similar attire are not acceptable.
- e. Footwear is consistent with the clothes worn. House shoes and sandals are not permitted.

4. Non-uniformed Females—Commissioned

- a. Adhere to the grooming guidelines given for uniformed female employees in Section D, 2, c, d and e of this policy. Letters a and b are appropriate only for uniformed employees and do not apply to non-uniformed females.
- b. Hair is clean and well groomed. Hairstyles worn by employees working undercover assignments are at the discretion of the Section Commander with approval of the Division Assistant Chief. Exceptions are made only while the employee is on active undercover assignment.
- c. Female employees not wearing a uniform during a tour of duty wear business-like attire which would be appropriate in any office. Bras are worn. Nylon hose is worn when appropriate. Dresses, pantsuits, western-style slacks, 5.11 tactical style pants, skirts or slacks

with blouses or sweaters are acceptable. Dresses and skirts are of modest lengths.

- d. Clothing which is considered inappropriate for office work included overalls, coveralls, bare midriffs, halter tops, sweat shirts, sweat suits, wind suits and sweat pants, sheer or thin clothing without proper undergarments (i.e., slip, camisole) and dungaree pants.
- e. Footwear is consistent with the clothes worn. House shoes and sandals are not permitted.
- f. Colored jeans without rear pockets are acceptable provided they are not dungaree, are clean, neat and not faded and would be appropriate for a business setting.

5. Identification Card

- a. All employees are issued a clip-on identification card which displays their name, photograph and the fact that they are employees of the Department.
- b. Non-uniformed personnel will wear the ID card in a manner in which it is visible while on duty unless to do so would jeopardize a particular assignment.

6. Drug Enforcement Investigators – Commissioned

- a. Investigators assigned to the Drug Enforcement Section (DES) are exempt from the policies and procedures governing dress and appearance standards established for the Criminal Investigation Division and Patrol Division (except as noted in 6.d.).
- b. DES supervisors and administrative staff maintain a neat appearance that allows flexibility in tasks. Long hair and beards must be authorized by the Section Commander and approved by the Division Assistant Chief.
- c. Dress and appearance is monitored by the DES Supervisors.
- d. The DES Commander complies with the same standards as non-uniform commissioned officers.
- e. When appearing in court or similar functions:
 - (1) DES male investigators dress in business suit or sport coat and slacks, button shirt, coat and tie. Footwear will be polished dress shoes or boots.
 - (2) DES female investigators wear appropriate business apparel such as dresses, suits or tailored loose fitting slacks with dress shirts or blouses.
- f. When DES Investigators wear the Waco Police uniform they must conform to personal appearance requirements for uniformed males or uniformed females.

E. Dress Code Compliance/Complaints

- 1. Immediate supervisors monitor the personal appearance of employees assigned to their unit/section. Inappropriate appearance is brought to the employee's attention.
- 2. Obvious violations of the General Order will be addressed by any supervisor observing the

violation, i.e. wearing parts of the uniform with civilian clothes.

3. To ensure consistency Department-wide, supervisors will adhere to General Orders and will not modify or interpret the policy based on personal preferences.
4. Inconsistencies within the Department or new styles in question are submitted through the chain of command to the Executive Staff to be resolved and have policy further defined.
5. Employees requesting to wear unapproved clothing due to medical reasons must submit a request through the Chain of Command to their Division Assistant Chief for approval.
6. Complaints regarding inappropriate appearance are referred to the complaining person's immediate supervisor who then forwards it to the immediate supervisor of the employee whose appearance is being complained upon.
 - a. Immediate supervisor of the employee in question determines if the appearance is acceptable.
 - b. Appeals about what is or is not acceptable may be made in writing through the chain of command to the Executive Staff.

F. Non-Commissioned Personnel

1. Non-Commissioned Female – Non-Uniformed

- a. Cosmetics are conservative and do not present a gaudy appearance.
- b. Earrings are permitted, however, no other visible body part will be pierced.
- c. Hair is clean and well groomed. There are no strange haircuts or coloring (i.e. purple, blue, orange, etc.).
- d. Proper undergarments to be worn at all times will include bras, panties and/or pantyhose. Socks or hose will be worn when appropriate.
- e. Inappropriate clothing will include, but not be limited to, overalls, coveralls, bare midriffs, T-shirts with logos (except those with the Waco PD emblem, badge or 9-1-1 logo), halter tops, sweatshirts (except plain sweatshirts with no markings), sweat pants, sweat suits, wind suits, sheer or thin clothing without proper undergarments (i.e. slip or camisole), leggings, sun dresses, spaghetti strap dresses, halter dresses, dresses cut low enough to expose cleavage, coats or jackets with large logos or athletic team logos, dungaree pants or blue jeans with rear pockets.
- f. Inappropriate footwear includes house shoes and beach style flip flops.
- g. Sandals may be worn in the office setting only and are not worn by employees who respond to crime scene areas.
- h. Appropriate clothing will include sweaters, pullover shells, button down shirts, turtleneck shirts, pull over shirts, dress slacks, colored jeans without the rear pockets and are not dungarees, cotton slacks, dresses of knee length or lower, skorts, walking shorts with or without a jacket, one piece dress short set.

2. Non-Commissioned Male – Non-Uniformed

- a. Earrings are not permitted. No visible body part will be pierced.
 - b. Hair is clean and well groomed. Hair does not extend below the top of the ear and not lower than the bottom of the collar. There will be no strange haircuts or coloring (i.e. purple, blue, orange, etc.). Mustaches are permitted and are neatly trimmed and do not extend over the top of the upper lip or more than one-half (1/2) inch beyond the corner of the mouth or below the corner of the mouth, no handlebar or Fu Man Chu mustaches. Beards are acceptable, but must be short and trimmed.
 - c. Undergarments are worn to include socks and underwear.
 - d. Inappropriate clothing will include, but not limited to, overalls, coveralls, bare midriffs, T-shirts (except those with the Waco PD emblem, badge or 9-1-1 logo), sweat shirts (except plain sweatshirts with no markings), sweat pants, sweat suits, wind suits, coats or jackets with large logos or athletic team logos.
 - e. Inappropriate footwear will include house shoes and beach style flip flops.
 - f. Acceptable clothing will include button down shirts, banded collar shirts, pullover shirts, dress slacks, colored jeans, Docker slacks, western dress slacks.
3. Uniformed Civilians – All civilians issued a uniform will adhere to the same appearance guidelines as non-uniformed civilians (i.e. hair, shoes, etc.).

4. Identification Card

- a. All employees are issued a clip-on identification card which displays their name, photograph and the fact that they are employees of the Department.
 - b. Non-uniformed personnel will wear the ID card in a manner in which it is visible while on duty unless to do so would jeopardize a particular assignment.
5. All uniformed and non-uniformed civilians will adhere to the Non-Uniform Civilian Dress Code when attending schools, meetings or seminars.

G. Uniform Allocation

1. Officers assigned to either full-time or part-time uniform duties are issued a full compliment of uniforms. A replacement schedule is set on an annual basis. Additional uniform replacements are authorized by the officer's supervisor. Supervisors approving additional uniform replacements may be required to justify approving the additional replacements.
2. Officers Assigned to Plain Clothes Duties Receive:
 - a. a complement of uniforms, the number of which is subject to availability.
 - b. replacements approved by the requesting officer's supervisor.
 - c. a clothing allowance.

3. Civilian Personnel

- a. Civilian employees required to wear a uniform are issued those items of clothing and equipment necessary to accomplish their duties.
 - b. Additional uniform replacements are authorized by the employee's supervisor. Supervisors approving additional uniform replacements are required to justify approving the additional replacements.
4. The assigned Police Planner is responsible for issuing all equipment assigned to Department employees.
 5. All Department issued equipment is turned in to the assigned Police Planner upon termination, resignation, retirement or transfer from one specialized unit to another unit if the specialized equipment may not be necessary for the new assignment.
 6. The Planning and Budget Unit maintains appropriate records on all uniform issuance. The records reflect the amount of new and used uniform items each person has received and turned in.

H. Formal Events

1. Commissioned personnel are required to wear the long sleeve uniform shirt and tie, a business suit or a sport coat and slacks with a tie when testifying in State or Federal court or when attending a City Council meeting, formal event, etc. Female officers have the additional option for formal occasions of wearing a business type suit.
2. Civilian personnel are required to wear appropriate business attire when testifying in any court or when attending a formal function or event.
3. Appearance in Municipal Court does not require a long sleeve shirt and tie, unless required by the presiding judge.
4. The requirement for long sleeve uniform shirt and tie or tie and sports coat for non-uniformed appearances for court appearances may be waived if the officer received original notification of the appearance after the beginning of the shift in which their appearance is required.

I. Miscellaneous

1. No employee shall have body piercing jewelry visible to the public while on duty or while wearing any Department approved uniform (exception is normal ear piercings for female officers). The Assistant Chief over Investigations is authorized to grant exceptions to personnel involved in covert operations.
2. Tattoos, Brands and Scarification anywhere on the body that are extremist, indecent, or racist are prohibited.
 - a. Extremist tattoos, brands or scarification are those affiliated with, depicting or symbolizing extremist philosophies, organizations or activities; those which advocate racial, gender or ethnic hatred or intolerance; advocate illegal discrimination based on race, color, gender, ethnicity, religion or national origin; or advocate violence or other unlawful means of

- depriving individual rights under the U.S. Constitution or federal and state law.
- b. Indecent tattoos, brands or scarification are those that are grossly offensive to modesty, decency or propriety; shock the moral sense because of their vulgar nature.
 3. Tattoos, brands and scarification that are prejudicial to good order, discipline and morale, degrades or demeans a person or group of people or are of a nature to bring discredit upon the Department are to be covered by a long sleeve shirt, pants or cosmetics.
 4. Tattoos, brands or scarification that exceeds 25 percent of the space between the bend of the wrist and unaltered short sleeve or 25 percent of the space between the bend of the knee and ankle must be covered by either a long sleeve shirt, pants or cosmetics. Measurements are taken in a standing position.
 5. Any tattoos, brands or scarification on the face, head or neck above the shirt collar are prohibited except for permanent makeup for female employees.
 - a. This includes permanent eyeliner, eyebrows and makeup applied to fill in lips.
 - b. Permanent makeup will be conservative in both style and color and not trendy.
 6. Only small, innocuous tattoos, brands or scarification on the hands or fingers that do not detract from a professional appearance are allowed. Those that do detract from a professional appearance must be covered by cosmetics or clothing.
 7. The use of gold, platinum or other veneers or caps for purposes of ornamentation is prohibited. Teeth, whether natural, capped or veneer, will not be ornamented with designs, jewels, initials, etc.
 8. Intentional body mutilation, piercing, branding or intentional scarring that are excessive are prohibited. Examples are:
 - a. A split or forked tongue
 - b. Foreign objects inserted under the skin to create a design or pattern
 - c. Enlarged or stretched out holes in the ear (other than a normal piercing)
 - d. Intentional scarring that appears on the neck, face or scalp
 9. Waivers may be requested from the Chief of Police for dental ornamentation, body mutilation, tattoos, scarification, piercing, branding or intentional scarring existing before May 29, 2009.
 10. Non-uniform employees may wear causal clothes appropriate for a business office on Fridays.

End of General Order 23.21



Waco Police Department General Order




Title: JUDICIAL APPEARANCE
AND TESTIFYING

Number: 23.24 Effective: 01/22/10

Cancels: 23.24 Issued: 11/09/92

Approved:


Chief of Police

23.24 .01 POLICY

Employees respond to all notices, written or oral, to attend court or quasi-judicial hearings unless notified by competent authority that they have been relieved of this duty or the subpoena has been canceled.

23.24.02 PROCEDURES

A. Court Appearances

1. Employees must testify on behalf of the State in any criminal trial in McLennan County when notified by a supervisor, prosecuting attorney or presiding judge of the court. Employees receiving an out-of-county subpoena notify the Chief of Police on a message form.
2. Employees wear the official uniform or appropriate business attire when attending court, unless otherwise ordered by the court. Appearance is neat and clean without mannerism which denote disrespect. For State and Federal Court, the official uniform shall include the long sleeve uniform shirt accompanied by the uniform tie. For male employees, appropriate business attire shall include long sleeve dress shirt with a tie and a sport or suit coat. Appearance in Municipal Court does not require a long sleeve shirt and tie, unless required by the presiding judge.
3. The requirement for long sleeve uniform shirt and tie or tie and sport coat for non-uniformed appearances for court appearances may be waived if the officer receives original notification of the appearance after the beginning of the shift in which their appearance is required.

B. Respect and Testimony

1. Employees show attention and respect during court or administrative hearings. When testifying, employees speak clearly, calmly and in an audible tone to be easily heard by the court and jury without showing malice, bias, prejudice, animosity or favor.
2. Employees truthfully answer the questions they are asked.
3. Employees attending or in the vicinity of any court or hearing avoid any action that would indicate a special interest in securing conviction, an acquittal or give an outward appearance of dissatisfaction with decisions. Employees always present the appearance of an impartial public servant seeking justice.

4. Employees act in a professional manner even when court is not in session (i.e., court not yet back in session, break, waiting to testify, etc.)

C. Civil Action, Interviews and Affidavits

1. Employees do not volunteer to testify in civil actions but accept and respond to all subpoenas and summons legally served.
2. Employees do not initiate civil actions arising out of their official duties without first notifying the Chief of Police in writing.
3. Employees summoned or informed that they are a party to civil action arising out of Department employment notify the Chief of Police, immediately, in writing.

D. Testimony On Behalf Of Defendant

1. Employees do not volunteer to testify on behalf of a defendant in a criminal proceeding without first receiving a legal subpoena.
2. Employees subpoenaed to testify by the defense in any criminal proceeding or by any party involved in litigation with the City of Waco Police Department notify the Chief of Police in writing upon receipt of the summons, subpoena, etc.

End of General Order 23.24



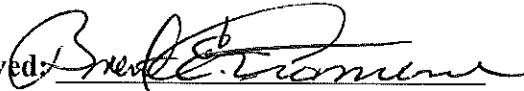
Waco Police Department General Order



Title: USE OF DEPARTMENT GYM **Number:** 23.25 **Effective:** 12/31/2009

Cancels: 23.25 **Issued:** 11/09/1992

Approved:


Chief of Police

23.25 .01 POLICY

The Gym provides an opportunity for employees to become physically fit and to achieve and maintain a healthy lifestyle. It is highly important that our employees remain healthy and physically fit not only for the job, but for themselves, their families, and the citizens they serve.

23.25.02 PROCEDURES

A. General Responsibilities

1. Physical Wellness Committee members monitor the gym use to ensure proper use and care of property and equipment.
2. Employees who observe equipment abuse or violations of policies or procedures report the abuse or violation to a supervisor.
3. Employees who fail to abide by the policy and procedures are subject to disciplinary action and may be prohibited from using the gym.
4. Anyone using the Department gym should consult a physician for approval before starting an exercise or weight training program.
5. Employees are responsible for checking the gym bulletin board and following posted instructions.
6. Employees should be careful to avoid injury (i.e. lifting too much weight, tripping over obstacles when running, etc.)
7. Injuries occurring in the gym shall be promptly reported to a supervisor and appropriate reports made without delay.

B. Persons Who May Use The Gym

1. Department employees, recruits and retirees may use the gym anytime and may invite one (1) guest during peak hours and a reasonable number of guests during non-peak hours, but are to remain with and be responsible for their guest's conduct.

- a. Past Department employees, in good standing, may use the gym as a guest of a current employee.
 - b. Only children twelve (12) years of age and older are allowed in the gym, as long as they are supervised at each workout area and are not left unsupervised in the gym.
 - c. Police Explorers may use the gym on Tuesdays, between 1900-2100 hours and must be supervised by one of the post advisors.
 - d. The Chief of Police, as his/her discretion, may allow other persons to use the gym on an individual basis.
2. Guests using the gym facilities are required to sign a waiver form located in Personnel and Training or at the Record's Supervisor's desk.
 - a. Minors and their parent/guardian are required to sign the waiver form.
 - b. The waiver form remains valid until such time as it is revoked, in writing, by the person who originally signed the waiver, or, in the case of a child, when the child is no longer a minor.
 - c. Waivers are forwarded to Training for filing.

C. Use of Gym

1. All equipment is used for its intended purpose and returned to its proper place after use.
2. The noise level from gym activities is not to interfere or disrupt persons in nearby offices.
3. All persons will conduct themselves in a professional manner and refrain from horseplay and foul language.
4. No tobacco or food is allowed in the gym; only drinking water or liquid in containers with the proper lid.
5. Any property or personal items that do not belong in the gym are tagged in the property room for disposal according to Department policy.
6. Instruction sheets are placed in the gym detailing the proper use of the equipment. Everyone is responsible to review the instructions prior to using the gym equipment.
7. All persons shall wear a shirt (t-shirt or tank top) at all times while in or using the gym or sauna.
8. No music containing foul and/or offensive language is to be played on the gym's stereo.
9. Persons using the gym will sign the sign in sheet. This documents the persons presence, shows gym usage and peak hours.

D. Sauna

1. Instructions for the Dry Heat Sauna are to be followed by all persons. The instruction book is

located in the TV cabinet.

2. Minimum clothing allowed:

a. Women: swim suit or athletic shorts, t-shirt or tank top

b. Men: swim trunks or athletic shorts, a shirt or tank top

3. The sauna is a dry type heat, so water is used sparingly

4. Nothing is to be placed on the sauna heater.

E. Repair, Maintenance

1 Gym equipment repair/maintenance forms are kept on the gym clipboard and are to be completed on maintenance needs.

2. Any person finding gym equipment in need of repair, adjustment, or if not in working order, notifies a Physical Wellness Committee member.

a. Physical Wellness Committee members' names are posted on the gym bulletin board. Contact them by phone or email to report a problem.

b. If no committee members can be contacted, a maintenance form is completed and left on the clipboard in the gym.

3. Any equipment damaged to a point that is poses a safety hazard, or to prevent further damage, is immediately removed from use.

4. Persons reporting damaged equipment are responsible for posting an out-of-order sign on the equipment. Out-of-order signs are kept on the gym clipboard.

F. Upkeep Of Equipment

1. An inspection of the gym equipment is made quarterly by a Physical Wellness Committee member. A maintenance schedule on all the gym equipment is maintained by the member conducting the inspection.

2. No one is to remove or alter any of the gym equipment or posted notices unless they receive prior approval from the Physical Wellness Committee.

3. Equipment used and/or moved during a workout should be placed back in its designated place prior to leaving the gym.

End of General Order 23.25



Waco Police Department General Order



Title: AUDIO TAPES

Number: 23.31 Effective: 01/01/2016

Cancels: 23.31 Issued: 10/03/1994

Approved:


Chief of Police

23.21.01 POLICY

The Radio Shop under Emergency Management for the City of Waco maintains the radio system. Dispatch Supervisors can only access the recording system to make copies of recorded audio. The Dispatch Supervisor can only make copies of recorded audio for criminal or internal investigations. Copies used for anything else must be obtained through the Open Records process.

23.21.02 PROCEDURES

A. Requesting Copy of Recorded Audio

1. Only authorized personnel can request a copy of recorded audio without supervisor approval. Those authorized personnel include:
 - a. Chief of Police
 - b. Assistant Chiefs
 - c. Professional Standards and Conduct Sergeant
 - d. Command Staff
 - e. Sergeants
 - f. Detectives (requesting copy for assigned case only)
 - g. All others require a supervisor approval before requesting a copy of any recorded audio
2. Requests for a copy of recorded audio should be made as soon as practical after an incident.
3. Requests will be made to the Dispatch Supervisor on duty in person, over the phone or through e-mail and will be completed when time allows but no longer than five (5) days after the original request.
4. Once the recording is made, the on-duty Dispatch Supervisor will contact the requestor via phone or e-mail and advise the recording is ready for pickup.
5. The requestor or designated representative will be required to pick up the copy of recorded audio in person and sign a Criminal investigation Request for Information form before the copy

is released to them.

6. The Criminal Investigation Request for Information form contains requestor and Dispatch Supervisor information and will be kept for one (1) year after the request is made. A permanent digital log will be kept for documentation purposes.

End of General Order 23.21



Waco Police Department General Order



**Title: TRADING/BIDDING FOR
WORK ASSIGNMENTS**

Number: 24.03 Effective: 01/01/2016

Cancels: 24.03 Issued: 07/20/1994

Approved:

[Signature]
Chief of Police

24.03.01 POLICY

Employees may trade work shifts or get someone to work for them **provided both employees are assigned to the same type job.**

24.03.02 PROCEDURES

A. Trading Regular Work Assignments

1. Employees may trade an hour, a day, week, or month. Upon approval, the agreement becomes each employee's official work assignment.
2. Each concerned employee must complete and sign a work assignment change request form. The form must be signed by each concerned supervisor and approved by section commanders. A copy of the assignment request change form is attached to the employee's time sheet who actually worked.
3. Supervisors do not approve their own assignment request change forms.
4. Trading work assignments is a personal transaction between employees. The Department is not responsible for disagreements resulting from one employee not paying back days owed to another employee.

B. Bidding Process for Patrol Shifts

1. Only officers in Patrol are eligible to participate in the bidding process for permanent Patrol shifts.
2. An officer must be assigned to Patrol before the annual bidding process begins on or about October 1st.

End of General Order 24.03



WACO POLICE DEPARTMENT

WORK ASSIGNMENT TRADE REQUEST

_____ will work on _____ during the
hours of _____.

In exchange, _____ will work on _____
during the hours of _____.

This trade does not violate FSLA laws. All hours traded are in the same work week and did not generate overtime. Involved employees understand and agree all worked hours must be claimed accurately on their own time sheets.

Employees Signatures:

Supervisor Approval:

Section Commander Approval:



WACO POLICE DEPARTMENT

WORK ASSIGNMENT TRADE REQUEST

_____ will work on _____ during the
hours of _____.

In exchange, _____ will work on _____
during the hours of _____.

This trade does not violate FSLA laws. All hours traded are in the same work week and did not generate overtime. Involved employees understand and agree all worked hours must be claimed accurately on their own time sheets.

Employees Signatures:

Supervisor Approval:

Section Commander Approval:



Waco Police Department General Order



Title: FISCAL MANAGEMENT

Number: 25.01 Effective: 01/01/2016

Cancels: 25.01 Issued: 07/03/1998

Approved:

Bruce Edman
Chief of Police

25.01.01 POLICY

Department purchasing procedures are regulated by City of Waco Purchasing procedures. All employees, however, are responsible and accountable to abide by City and Department purchasing and cash handling procedures. The Planning & Budget Section is responsible for fiscal management functions for the Department.

25.01.02 DEFINITIONS

Fiscal Management Function - includes but is not limited to annual budget development, supervision of Department expenditures and related controls, and liaison with the City's fiscal officers.

25.01.03 PROCEDURES

A. Responsibility

1. Each division is responsible for ordering all equipment and supplies used by that division through the Planning & Budget Section. When a particular division supplies certain items for the entire Department, that division is responsible for maintaining an adequate supply of those items.
2. Each division is responsible to determine the type of equipment or supplies used by the division. Any necessary planning and/or research is performed by the division ordering the equipment or supplies. Outside inquiries from City Purchasing, vendors, etc., concerning the description or other details, or ordered equipment or supplies, are referred to the person designated by the division Assistant Chief to order the equipment or supplies.
3. The Planning & Budget Section conducts the research and/or planning concerning purchases affecting the entire Department and those initiated out of the Chief's Office.
4. Division Assistant Chiefs and the Program Administrator furnish the Planning & Budget Section an up-to-date list of employees in their division who are authorized to approve requisitions for supplies and equipment. Orders are accepted only from such designated employees or the division Assistant Chief/Program Administrator.
5. Employees of the Department will not (except in emergencies) request or make arrangements for the purchase of any item unless it is budgeted and money is currently available.
 - a. Purchase requests of any item must include the budgeted account number.

- b. Information about the availability of funds is provided by the Planning & Budget Section.
- B. Procedure for Ordering Supplies or Equipment

1. The following prerequisites are necessary before ordering supplies or equipment:
 - a. The item is budgeted and money is currently available
 - b. The necessity of the items for operation of the division. Each division Assistant Chief is responsible to ensure that only needed items are purchased.
 - c. If money is not available in the referenced account and the purchase is deemed necessary, alternate funding must be proposed and approved by the Chief. This alternate funding includes the transfer of money between accounts.
2. A requisition form is submitted each time a division orders supplies or equipment. The requisition fully describes the item(s) that are being ordered.
3. The Planning & Budget Section coordinates authorized expenditures and orders the merchandise through proper channels.

C. Obtaining Maintenance and Other Needed Services

1. Service purchases are generally ordered in the same manner as supplies or equipment except service/maintenance obtained at the City Garage, City Service Station and City Radio Shop
2. When emergency repairs are needed on equipment during non-business hours, the person in charge of the division needing the repairs notifies an appropriate vendor to perform such repair. The person requiring the repair submits a written message to the Planning & Budget Section explaining the nature of the repairs along with any invoice or other documents received from the vendor. The message is submitted not later than the morning of the next business day.
3. Emergency repairs described above are those repairs necessary to maintain an adequate level of operation by the respective division until the next business day. This would include such things as typing pool equipment, copying machine, and air conditioning and heating equipment.
4. Repairs of non-emergency nature are requested through the employee's division Assistant Chief.
5. Emergency repairs during regular business hours are requested through the Planning & Budget Section.

D. Minor Purchases

1. A petty cash fund is available for minor purchases; purchases must be approved by the Division Assistant Chiefs, Program Administrator or their designee. The Planning & Budget Section will know the current expense allowed with petty cash funds. The Division Assistant Chiefs or Program Administrator furnish the Planning & Budget Section an up-to-date list of employees in their division who are authorized to approve petty cash reimbursement.
 - a. The purchases are reimbursed from the petty cash fund by Planning & Budget Section upon presentation of a ticket or receipt from the vendor where the purchase was made.

- (1). The ticket or receipt must show the exact amount of the purchase and describe the item purchased.
 - (2). The ticket or receipt must also be signed by the person who received the merchandise.
 - (3). The City of Waco is tax exempt therefore reimbursement for sales tax is not authorized.
- b. Reimbursement is not made from the petty cash fund without a ticket or receipt.
2. Reimbursement is not made for the following:
- a. Travel-related expenses such as hotel or gas
 - b. Uniform items such as shirts, pants or outerwear
 - c. Software, hardware or computer-related items
 - d. Ammunition
 - e. Purchase of supplies that are available in inventory at the City Graphics Department or Central Warehouse

E. Other Functions of the Using Divisions

1. The using divisions should plan their work so that Rush Orders and emergencies are held to a minimum. Emergencies created through negligence must be avoided.
2. Employees do not make a purchase of any item or service (except emergencies) without first obtaining approval of the Division Assistant Chief/Program Administrator.

End of General Order 25.01



Waco Police Department General Order



Title: CASE MAKING FUNDS

Number: 25.03 Effective: 01/01/18

Cancels: 25.03 Issued: 03/01/09

Approved:

Chief of Police

25.03.01 PROCEDURES

A. Management of Funds

1. The management of the case making money is the responsibility of the following for their respective area of assignment:
 - a. The Assistant Chief over CID, NSS, and DES will have access to the case making funds.
 - b. Criminal Investigations Section Commander (CIS)
 - c. Drug Enforcement Section Commander (DES)
 - d. Neighborhood Detectives Commander (NSS)
2. Audits on the case making funds and records are conducted by employees named by the Chief of Police.

B. Financial Officer's Responsibilities

1. The Section Commander may designate a Financial Officer. If no designation is made, the Section Commander serves as the Financial Officer.
2. The Financial Officer is responsible for disbursement of case making funds and maintaining accounting records which include timely and accurate entries of disbursement and expenditures. Funds and records are maintained in a locked area and keys issued to the Financial Officer, Section Supervisors and the Assistant Chief of respective Sections.
3. Any request for disbursement by an investigator is directed to the Financial Officer who dispenses funds under the direction of the Section Supervisors.
4. No accounting log entries are made by anyone other than the Financial Officer, Section Supervisors or the Assistant Chief, except as authorized under the supervised direction of one of the above designated employees.
5. Accounting logs for CIS and NSS are secured in a locked area and are not removed from the office. Drug Enforcement accounting logs are kept in a secure folder on the City's computer server.

C. Use of Funds

1. Funds are used for expenses of a confidential nature to support vice operations, organized crime control or an activity which is likely to initiate, develop or solve a criminal investigation.
 - a. This includes expenditures that must remain confidential to protect the identity of an undercover operation, an informant, or undercover officer and/or for the safety of all individuals directly or indirectly involved.
 - b. Valid expenditures include:
 - 1.) Paying an informant for information or rendered services (i.e. making a buy, introducing an undercover officer, information on a wanted person's location.)
 - 2.) Buy money for narcotics, stolen property, etc.
 - 3.) Rental fees for vehicles and other equipment or assets used in a classified undercover operation (includes gasoline and maintenance costs.)
 - 4.) Housing costs necessary for a classified undercover operation.
 - 5.) Placing of bets, liquor and pornography buys during the course of an official investigation.
 - 6.) Other purchases or expenses where a legitimate reason necessitates the expenditures to be confidential.
 - 7.) Miscellaneous expenses necessary for undercover activity (i.e. cover charges, drinks, admission charges, etc.)
 - c. Invalid expenditures
 - 1.) Office supplies, batteries for surveillance equipment, etc
 - 2.) Rental, gasoline and maintenance for non-undercover vehicles and equipment
 - 3.) Entertaining guests, witnesses and informants
 - 4.) Food and beverage unless necessary as part of an undercover operation
 - 5.) Any other expenditure not of a confidential nature

D. Access/Accounting for Funds

1. Access to case making funds is limited to the Financial Officer(s) and the Section Commander.
2. The requesting investigator must have supervisory approval prior to requesting case making funds. The promise of any money to informants is not made without supervisor approval.
3. The investigator requesting funds will complete a withdrawal slip each time money is removed.

The slip is signed by the investigator requesting the funds and a supervisor and is maintained with the case making funds for accountability purposes.

4. An entry will be made on the withdrawal slip if money was returned. This will be evidenced by date and signature. The withdrawal slip and any money is returned to the Financial Officer for accounting entry and filing.
5. A case making receipt is submitted each time case making money is spent.
 - a. The investigator responsible for the expenditure is responsible for completing and signing a case making receipt.
 - b. The Nature of Expenditure section on the receipt form is completed as follows:
 - 1.) C.I. Buy – Money spent by an informant to purchase narcotics, place bets, etc.
 - 2.) C.I. Expense – Money paid to an informant to make a case.
 - 3.) U.C. Buy – Money spent by an investigator or supervisor to make an undercover buy of narcotics, place a bet, etc.
 - 4.) U.C. Expense – Money spent by an investigator working undercover to make a case.
 - 5.) Operation Expense – Money spent leasing vehicles, maintenance of undercover vehicles, etc.
 - c. Additional Information Needed:
 - 1.) The case number and nature of the investigation
 - 2.) The identity of suspects involved in the investigation
 - 3.) The address of the suspected illegal activity
 - 4.) The number of persons arrested as a result of the investigation
 - 5.) Other significant information
 - d. Money Given To Informants or Outside Parties
 - 1.) The case making receipt is signed in the investigator's presence by the receiving person using their actual signature (no X or aliases.)
 - 2.) Money transactions and informant signatures are witnessed by the case officer and one additional officer when feasible. All witnesses sign the receipt form.
 - 3.) The case making receipt form is forwarded to a Financial Officer who:
 - a.) Attaches the withdrawal slip to the case making receipt form
 - b.) Makes the appropriate accounting entries

- c.) Files the case making receipt form and withdrawal slip
- 4.) An explanation of the expenditure is reflected on the receipt form by the investigator when expenses do not involve an informant or outside party.
- 5.) Expenditures are supported by receipts when practical and attached to the case making receipt form prior to processing.
- 6.) Any request of \$100 to \$499 for confidential informant for services will be approved by a Sergeant and Commander over that division. A request of \$500 or more for confidential informant services will be approved by a Sergeant, Commander and Assistant Chief of the division. That request will maintained as a record of the transaction.

E. Financial Officer's Responsibilities

- 1. Maintain an accounting log of all expenditures.
- 2. Use pre-numbered Case Making Receipt forms (DES only due to the volume of transactions.)
- 3. Monitor the flow of funds to ensure that a disposition is returned for each withdrawal slip completed.
- 4. Ensure each withdrawal slip and expenditure receipt is accurately completed and signed by a supervisor.
- 5. Balance case making funds and receipts in a timely fashion.
- 6. Report any problems or discrepancies which are then investigated by the Commander with a written report submitted to the Assistant Chief and the Chief of Police.
- 7. DES will submit a monthly report through the chain of command to the Chief of Police reflecting case making activity. CIS and NSS will submit an annual report.

F. Supervisors Are Responsible To:

- 1. Process for CIS and NSS
 - A. The CIS and NSS Commander notifies the Department Accounting Tech by memorandum (or in their absence, the Department Budget Program Administrator) each time a check is requested to replenish case making funds.
 - B. The memorandum is signed off by the Assistant Chief.
- 2. Process for DES
 - A. A checking account is utilized for establishing and replenishing the case making fund, and two authorized persons will be present at the bank during any cash withdrawals.
 - B. An employee from the Planning and Budget Unit obtains funds from Finance to maintain sufficient funds.

C. Two authorized signatures are necessary to cash a check and obtain case making funds.

D. Once a case making fund has been established and checks have been issued to an authorized officer, it is that officer's responsibility to:

1.) Account for all checks issued to the officer.

2.) Maintain accurate records reflecting the expenditure of money obtained through the checking funds, in accordance with Department and Section policy.

3.) Notify the appropriate employee in the Department's Planning and Budget Section in writing or via email each time a check is written. This will be done on the same day the check is written during business hours. (If during non-business hours, notification will be made the next business day.) The person making notification will provide the Accountant with the amount of the check, the date of the check and the check number.

4.) An employee from the Department's Planning and Budget Section reviews bank statements and returned checks on a monthly basis. Any discrepancy is brought to the attention of the Chief of Police.

5.) NSS, CID, and DES supervisors are responsible to notify their Commander, Assistant Chief and Chief of Police of any problems or discrepancies concerning case making funds.

3. The Chief of Police authorizes:

A. Approved persons to sign checks for case making. A record of this will be placed with Planning and Budget.

B. The establishment and use of a case making fund.

C. The issuing of blank checks.

D. All requests for funds.

G. Review and Audit of Case Making Expenditures.

1. A monthly review of case making expenditures and records will be made by the DES, CIS and NSS Commander or their designees. This review will be conducted during the first week of each month.

3. A bi-annual detailed audit and written evaluation of case making funds will be performed during each calendar year by a designated person, as directed by the Chief of Police.

4. All case making records remain current and ready for review and/or audit at all times.

End of General Order 25.03



Waco Police Department General Order



Title: PUBLIC INFORMATION

Number: 26.01 Effective: 02/01/2012

Cancels: 26.01 Issued: 01/31/2005

Approved:


Chief of Police

26.01.01 POLICY

The Department strives to furnish the public and news media with all information which can be furnished without jeopardizing the privacy rights of others or rights of criminal defendants. Department employees are to maintain a professional, honest, and open relationship with all press personnel.

26.01.02 DEFINITIONS

- A. **Public:** Intended to include citizens, victims, witnesses, complainants, suspects, employees, etc. The only exception is law enforcement personnel seeking reports for law enforcement purposes.
- B. **Press:** Persons working in their official capacity in the media industry.

26.01.03 PROCEUDRES

A. Public Access to Information

1. The public and the press have a constitutionally-protected right of access to some forms of information maintained by law enforcement agencies.
2. The Texas Public Information Act identifies certain information within the possession of the Department as public information.
 - a. Information deemed "public information" by the Texas Public Information Act is released following prescribed procedures outlined in the Act.
 - b. Information not deemed public information is not released.

B. General Responsibilities

1. Usual Incidents/Events
 - a. Supervisors may refer media inquiries on lesser crimes or routine incidents/events to the appropriate employee who can assist them. This includes the ranking officer or supervisor at a crime scene speaking to media representatives at the crime scene.
2. Major Incident/Event

- a. Media inquiries regarding a major crime/event are referred to the Department's Public Information Officer during normal business hours (0800-1700) Monday through Friday and Records Supervisor during non-business hours (1700-0800).
- b. If requested during high profile events, the Public Information Officer responds for on-scene media coordination and releases. After business hours (1700-0800) the PIO may be called to the scene with a request from a supervisor.
- c. Events requiring entry on the patrol shift report
 - (1). Any incident in which a Major Incident Form is completed
 - (2). Assaults involving serious bodily injury, weapons or multiple victims
 - (3). Assistance provided to outside agencies on felony grade offenses
 - (4). Significant or unusual events which might generate media attention
3. All requests pursuant to the Texas Public Information Act for records, audiotapes or documents related to an offense or Department related actions are referred to the Records Program Administrator or person designated as the Public Information Clerk.

C. Events/Offenses Requiring Completion of a Major Incident Form

1. Major Incident Forms will be completed for:
 - a. Murders and attempted murders
 - b. Robbery of a business
 - c. Felonies committed on school grounds
 - d. Missing children, individuals with special needs or mental illness and missing elderly citizens with life threatening medical needs
 - e. Any offense or event generating significant media attention
 - f. Any offense or event when a media representative makes a specific request for a form and the Public Information Officer is not on duty
2. Responsibility for Completing a Major Incident Form or Sexual Offense Form
 - a. In most cases, the Primary Officer will complete a Major Incident Form and turn it in to Records or dictate required information to the Records Supervisor.
 - b. If an investigator (not a Crime Scene Technician) is called to the scene of a Major Incident and assumes the investigation or assists with an investigation, the investigator completes the Major Incident Form or Sexual Assault Form.
3. Certain types of information are not included on the form according to guidelines in H below.

4. The Records Supervisor distributes copies to:

- a. Chief of Police
- b. Assistant Chiefs
- c. Public Information Officer
- d. Records Supervisor
- e. Media (On Request)

D. Media Representatives at Crime Scenes

1. The ranking officer's duties:

- a. Decides if media are to be kept from the immediate area of the incident.
- b. If the Public Information Officer is at the scene, informs the media through the Public Information Officer when access can be granted.

2. The Public Information Officer will, with approval of the ranking officer or ranking supervisor, provide information to media representatives and may conduct an on-scene tour with media representatives after access has been granted by the ranking officer/supervisor.

3. Media representatives are not denied access except when:

- a. Representatives would be exposed to unreasonable danger.
- b. Representatives' presence interferes with the police investigation, endangers physical evidence and crime scene preservation, etc.
- c. The crime scene is on private property and the owner/agent or victim requests media not be allowed entry.

E. New releases/New Conferences

1. News Releases

- a. Releases are made by the Chief of Police or his designee, the Public Information Officer, or the concerned Assistant Chief or their designee.
- b. Releases are issued in such a manner as to:
 - (1). Be as accurate as possible
 - (2). Give equal access to all media representatives
 - (3). Not violate the legal rights of any person
- c. Written releases are consecutively numbered, dated and a master copy maintained on file with

the Public Information Officer.

- d. The Chief is notified and provided with a copy of the written news releases.
- e. Copies of each written release are forwarded by issuing person to the Public Information Officer for review. The Public Information Officer forwards approved releases to:
 - (1). Chief of Police
 - (2). Assistant Chiefs
 - (3). Public Information Services (City Hall)
 - (4). District/Section Commanders
 - (5). Legal Services

2. News Conferences

- a. News conferences are conducted by the same employees providing news releases
- b. The Public Information Officer coordinates news conferences and gives as much advance notice as possible to all local media offices.
- c. Department facilities or equipment are not used for any news conference without being approved by the Chief of Police, Assistant Chiefs or their designee.
- d. If possible, the Chief of Police is notified in advance of any news conference, news interview, or other interaction with the news media, if such is intended to be an official statement on behalf of the Department.

F. Information Which May be Released to the Media/Public

1. Pocket size cards are available for officers to carry as a guide for information releases.
2. Information about a crime that can be released includes:
 - a. Offenses committed
 - b. Location of a crime (unless location identifies the residence of a victim of a sex offense)
 - c. Identification and description of a complainant or victim unless release of identity would endanger the complainant or victims and/or identifies a victim of a sex offense. Juvenile victims are treated the same as adult victims.
 - d. Premises involved
 - e. Date and time of occurrence
 - f. Property involved

- g. General description of vehicles involved
 - h. Description of weather
 - i. Brief description of offense
 - j. Names of investigating officers
3. Information about persons arrested, which may be released, includes:
- a. Person's name, age and address
 - b. Title of the offense charged
 - c. Place of arrest, if release will not identify the residence of the victim of a sexual offense
 - d. Names of the arresting officers and agency as long as it does not compromise an undercover investigation.

G. Information Which May Not Be Released to the Public

- 1. The following documents: supplement reports, confessions, witness statements, property tags, property disposition forms (form 10)
- 2. Name of identifying information regarding juvenile suspects or juvenile arrests
- 3. Name of a complainant or victim who is deceased or seriously injured pending notification of a surviving relative
- 4. Location of an offense or arrest if the release identifies the residence of the victim or a sexual assault
- 5. Photographs of crime scenes/victims/or identified suspects
- 6. Personal and/or criminal history of a suspect, or any information obtained from NCIC/TCIC
- 7. Name of a victim or complainant of any sexual offense or any information that might lead to the identity of the victim or complainant
- 8. Existence or contents of a confession or statement
- 9. Any opinion as to the accused guilt or possibility of plea-bargaining
- 10. Officer's opinion about suspects, witnesses and/or information on evidence
- 11. Identification and/or description of an informant or witness
- 12. Name of suspects not formally charged or booked
- 13. Driver's License number or Social Security Number of victim

14. Suspect vehicle information to include license plate number unless the release has been approved and is necessary to assist in the location of a suspect vehicle for either the capture and/or recovery of a victim.

15. Existence or contents of ballistics reports

16. Existence or results of fingerprint comparisons

17. Existence or results of blood or other laboratory tests

18. Any information that if released would hinder or impair an investigation

H. Documents for Public Information that Can Only Be Released by Records Section Personnel, the Public Information Officer, the Chief of Police or Designee

1. Accident reports (Texas Peace Officer's Accident Report Form)

2. News media copies of offense reports, which should include a basic description of the offense

3. Arrest Forms

4. Major Incident Forms

5. Sexual Offense Forms

I. Administrative and Confidential Information

1. Information regarding interpretation of Department policy or procedure or administrative changes in personnel or policy is released by the Chief of Police, the Public Information Officer, or a representative designated by the Chief of Police

2. Information regarding internal investigations is released according to the Internal Affairs Policy

3. Photographs depicting any police officer shall not be released, by any member of the Department, unless:

a. the officer has been charged with an offense by indictment or by information; or

b. the officer is a part in a civil service hearing or a case before a hearing examiner or in arbitration; or

c. the photograph is introduced as evidence in a judicial proceeding; or

d. the officer gives written consent to the release of the photograph.

J. Inquiries Regarding Civil Suits

a. Unless an employee has been specifically authorized to release information or to make a comment on behalf of the City or the Department regarding a potential or pending lawsuit, requests for information or comments relating to potential or pending lawsuit against the City, the Department, or an employee (for actions while on duty or when performing law

enforcement tasks), are to be referred to the attorney representing the City, Department, or employee, or to Legal Service.

K. Technical Questions and Resolutions of Problems

- a. Legal questions concerning what information may or may not be released to the news media are referred to the City of Waco Legal Services.
- b. Any information that, if made public, would interfere with the investigation or apprehension of suspects, is withheld until cleared with a supervisor.
- c. Problems between police employees and news media representatives are communicated through the chain of command to the Chief of Police (or directly to the Chief if from a media representative) to resolve the problem.

End of General Order 26.01



Waco Police Department General Order



**Title: RIDE AND OBSERVE
PROGRAM**

Number: 26.02

Effective: 01/16/2015

Cancels: 26.02

Issued: 12/13/1993

Approved: 
Chief of Police

26.02.01 POLICY

The Department is dedicated to the promotion of understanding and beneficial exchange of information between the Department and the citizens, other agency officers, City employees and family members. The Ride and Observe Program is an educational process for concerned citizens and not for entertainment purposes. Department employees are not allowed to ride unless the ride is part of an approved program as part of their normal job duties.

26.02.02 PROCEDURES

A. Waiver of Liability

1. Is signed by person requesting to ride and witnessed by authorizing supervisor
2. For minors (under 18 years of age), the waiver is signed by the minor and the minor's parent or guardian
3. Indicates the date of the approved ride and is presented to the ranking officer on duty the day of the ride prior to riding
4. Only City employees are exempted from waiver of liability requirements when the ride is part of an approved program required as part of their normal job duties. Such rides require approval of the shift commander and prior approval of the employee's immediate supervisor.
5. In addition to an individual waiver, the following must provide a waiver from their employing agency/entity signed by a person with authority to act for the agency/entity:
 - a. Employees of other criminal justice agencies
 - b. Persons employed by any other entity sent to observe practices and procedures as agencies/representatives of their employing agency/entity.

B. Request Guidelines

1. The Rider Request form is submitted at least a week in advance to allow for scheduling and supervisory approval.
2. For Officers submitting requests for family or acquaintances, they should submit to their immediate supervisor for approval.

- a. Supervisors note approval or disapproval and forward the request through the chain of command to the division commander for final approval.
 - b. Supervisors note their reasons for disapproval.
3. Requests by minors are approved by the Chief of Police. The Chief may require additional restrictions as necessary under the circumstances.
4. Officers submitting request for persons to ride state briefly the reason for the request and include a criminal history check on the person.
5. Local criminal history checks and TCIC/NCIC criminal history checks are made on all persons requesting to ride; exceptions may be approved by the Chief of Police. Persons with prior arrest records are not allowed to ride without approval of the Chief of Police.
6. Any member of the media (including reporters, cameramen, photographers, etc.) requesting to be allowed to ride in the same police vehicle with officers is required to submit such request in writing to the Public Information Officer to be forwarded to the Chief of Police for approval.
7. No individual may be granted permission for a repeat observation within a six (6) month period except:
 - a. Spouses of officers may ride once per quarter
 - b. Department employees when such riding is part of an approved program essential to proper performance of their job duties and approved by their immediate supervisor.
 - c. Members of the Citizen's Police Academy Alumni Association who are within the written guidelines set by the Patrol Division Commander, may ride once per quarter or when otherwise approved by the Chief of Police.
8. Observers may not ride more than ten (10) hours at a time. The ten (10) hour period may cover part of two (2) consecutive shifts if:
 - a. Arrangements are scheduled in advance.
 - b. All persons involved are notified in advance before the day of the ride.
9. An officer assigned a rider is notified before the day of the ride when possible.
 - a. Officers objecting to a rider state their reasons on a message form to their immediate supervisor.
 - b. Every effort is made to assign riders to officers agreeing to the assignment, but supervisors may order the assignment when that supervisor believes it is in the best interest of the Department.
 - (1). Supervisors ordering the assignment over written objections, state their reasons on a message form.
 - (2). Attach the message form to the officer's message form.

- (3). Forward the message form through the chain of command to the division commander for review.

C. Ride and Observe Log

1. Completed forms are forwarded to the Patrol Office
2. Maintained by the Patrol Office Supervisor
 - a. On receiving the waiver form, the supervisor notes the date of the ride and the name and address of the rider.
 - b. Forwards the form to the Chief's Office.
 - c. Logs entries in chronological order by date (entries older than six (6) months are disposed of).
3. **Police Observer** identification cards are maintained in the Patrol Office.

D. Observer Rules/Instructions

1. Persons requesting permission to ride are given a copy of the rules when given a waiver form to sign.
2. Failure to abide by these rules may result in denial of permission by the shift commander to ride.
3. Personal appearance and grooming
 - a. Observers wear the Police Observers Identification Card in a conspicuous place at all times.
 - (1). The card is returned at the end of the ride.
 - (2). Officer receiving the card returns it to the Patrol Office.
 - b. Male observers wear slacks and a dress shirt but are encouraged to wear a tie and jacket.
 - c. Female observers wear dresses or slacks and blouses; bras are required.
 - d. Males are clean shaven or have neatly trimmed beards or mustaches with hair neatly groomed.
 - e. Observers do not wear items on their clothing that advertise any product, business or organization that is inflammatory in nature.
 - f. Officers from other agencies comply with standards outlined for male or female observers.

E. Standards of Conduct

1. Observers are guests of the Department and conduct themselves in an appropriate responsible manner. They do not:

- a. Use alcoholic beverages immediately prior to or during ride and observe duty.
 - b. Use profane or abusive language or behave in any manner that would provide or escalate tension.
 - c. Make any video, photograph, sound recording, or other reproduction, electronic or otherwise.
 - d. Engage in electronic forms of communication regarding activities observed as a rider.
 - e. Enter into any investigation or converse with any citizen, witness or prisoner concerning a police incident or investigation.
 - f. Make known to unauthorized persons the identity of persons arrested, detained, confined in jail or suspected of any offense.
 - g. Operate or use police equipment, vehicle or any item in police custody or control except in case of an emergency when directed by an officer.
 - e. Carry a firearm or convey or state to anyone that they are police officers.
 - f. Exit police vehicle during routine traffic stops or disturbance calls of a serious nature.
 - g. Enter a house, building or other property, public or private, from which the public would be excluded because of a police incident or by the owner of the property.
 - h. Question any instructions given by the officer in charge.
 - i. Officers from other agencies observe all standards of conduct unless exempted by the Chief of Police.
2. Officers immediately report to their supervisor any interference with their duties or willful noncompliance with instructions, rules or regulations by the observer. Any supervisor may terminate the privilege to ride as an observer, regardless of the origin of the assignment authority, when the effectiveness of police operations is deterred.

End of General Order 26.02

RIDE ALONG PROGRAM STANDARD OF CONDUCT AND DRESS CODE

Standard of Conduct

1. A rider will not use alcoholic beverages immediately prior to or during ride and observe duty.
2. A rider will not use profane or abusive language or behave in any manner that would provoke or escalate tension.
3. A rider will not enter into any investigation or converse with any citizen, witness, or prisoner concerning a police incident or investigation.
4. A rider will not make known to unauthorized persons the identity of persons arrested, detained, confined in jail, or suspected of any offense.
5. A rider will not operate or use police equipment except in the case of an emergency when directed by an Officer.
6. A rider will not carry a firearm or convey or state to anyone that they are a police officer.
7. Riders may not use any device to capture video, photography, sound or other reproductions while participating in the ride along, unless expressly approved by the Chief of Police or their designee.
8. A rider will not exit a police vehicle during routine traffic stops and disturbance calls of a serious nature.
9. A rider will not enter a house, building, or other property, public or private, from which the public would be excluded because of a police incident or by the owner of the property.
10. A rider will not question any instructions given by the officer in charge.
11. Officers from other agencies will observe all standards of conduct unless exempted by the Chief of Police.

Dress Code Requirements

1. Observers will wear the Police Observers Identification Card in a conspicuous place at all times. These Identification Cards will need to be returned to the Downstairs Patrol Office.
2. No blue colored jeans, shorts, t-shirts, or other inappropriate shirts will be allowed. If the rider comes to the Police Department to ride and is dressed in the above described way, they will not be allowed to ride.
3. Male observers will wear slacks and a dress shirt.
4. Female observers will wear dresses or slacks and blouses; bras are required.
5. Males are clean shaven or have neatly trimmed beards or mustaches with hair neatly groomed.
6. Observers do not wear items on their clothing that advertise any product, business, or organization that is inflammatory in nature.
7. Officers from other agencies comply with standards outlined for male or female observers.

Shift Times

Day Shift:	7:00am to 5:00pm
Evening Shift:	3:00pm to 1:00am
Night Shift	9:00 pm to 7:00am

Requirements of the Civilian Rider

1. The civilian requesting to ride must arrive 15 minutes before a shift **begins**.
2. The rider is required to ride a minimum of two (2) hours beginning at the start of the requested shift.
3. Riders are not allowed to ride on **Thursdays**.



Waco Police Department General Order



Title: VICTIM CONFIDENTIALITY Number: 26.04 Effective: 06/21/2010

Cancels: 26.04 Issued: 11/09/1992

Approved: _____

Chief of Police

26.04.01 PROCEDURES

A. Provisions of the Victim Confidentiality Statute

1. Definitions

- a. Pseudonym – set of initials or fictitious name chosen by a victim in all public files and records concerning the offense. (Code of Criminal Procedure, Chapter 57)
- b. Victim – a person who is the subject of a sexual assault or aggravated sexual assault. (Penal Code 22.002 and 22.021)

2. Confidentiality of Files and Records

- a. A victim may elect to use a pseudonym instead of the victim's name to be used in all public files and records concerning the offense including police reports, press releases and judicial hearings.
- b. A victim who elects to use a pseudonym must complete a pseudonym form and return it to the investigating agency. The completed form is confidential and the information is not disclosed to any person other than the defendant, the defendant's attorney or the prosecuting attorney, except by an order of the Court.
- c. The investigating agency receiving a completed pseudonym form is to:
 - 1.) Remove the victim's legal name and substitute the pseudonym on all reports, files and records in the agency's possession.
 - 2.) Notify the attorney for the state of the pseudonym and
 - 3.) Protect the confidentiality of the information contained on the form.
- d. Record-keeping Responsibilities
 - 1.) The section/unit designated to investigate juvenile sexual assault offenses is responsible for setting up and maintaining a filing system to ensure the confidentiality of the pseudonym form.

- 2.) The section/unit designated to investigate adult sexual assault offenses is responsible for setting up and maintaining a filing system to ensure the confidentiality of the pseudonym form.

3. A violation of this statute is a Class C Misdemeanor.

B. Procedures for Handling Pseudonym Investigations

1. If a sexual assault victim requests to be identified by a pseudonym, the officer and/or investigator furnishes the victim with a **Pseudonym for Sexual Assault Survivors** form.
 - a. The investigating officer ensures that a pseudonym is used so that the pseudonym is referred to in the offense report.
 - b. The pseudonym of Jane Doe is not used.
 - c. The investigating officer suggests the use of initials instead of a name as the pseudonym.
 - d. If a pseudonym form has been completed, the victim's address and phone number are not used in the report.
 - e. The investigating officer instructs the victim to return the pseudonym form to the investigator assigned the case.
2. The investigator assigned a sexual assault case files the pseudonym form in a confidential file in the section/unit designated to investigate juvenile/adult sexual assault cases.
3. All requests for victim identity information are forwarded to City Legal.
4. The victim's identity information is released pursuant to a Court Order or by the victim's consent only.

End of General Order 26.04



Waco Police Department General Order

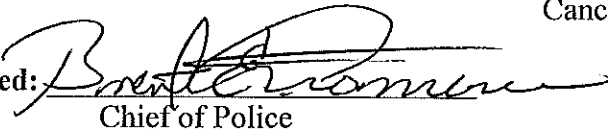


Title: Waco Police Chaplains Corp

Number: 26.07 Effective: 02/13/10

Cancels: 26.07 Issued: 08/29/00

Approved:


Chief of Police

26.07.01 POLICY

The Waco Police Chaplains Corp is a volunteer program utilizing trained clergy from throughout Waco and McLennan County to assist Police Personnel, their families and the public as needed.

26.07.01 PROCEDURES

A. Call Out and Communication Procedures for Department Personnel

1. Chaplains may be called out anytime.
2. A call out list is maintained by the Chaplain Coordinator and provided for the department. Chaplains are called out by going down the list or if a specific Chaplain is requested, then that Chaplain should be contacted first.
3. Chaplains are called out under the following circumstances:
 - a. When an Officer is seriously injured or killed in the line of duty. The Chaplain will assist department personnel in the notification of family members. If notification has already occurred, the Chaplain should be directed to the family's location. Other Chaplains may assist Officers who are involved or help in other areas.
 - b. Major disasters such as tornadoes, earthquakes, fires, bombings, etc. where there are human casualties.
 - c. Chaplains are notified by the employee's supervisor to respond to a scene, unless the employee requested otherwise.
4. When an officer (not in the line of duty) or civilian employee or family member is seriously injured or killed in an accident or other type of tragic incident, the officer or their family member is made aware of the availability of the Chaplain service by the employee's supervisor.

B. Duties of the Volunteer Chaplain

1. To assist the Department as stated in paragraph A.
2. Upon request, conduct funeral, memorial and wedding services for department personnel.

3. Attend and/or participate in department functions such as Academy Graduations, Memorial Service, Award Banquet, etc.
4. Ride along with Officers in Patrol and make periodic contacts with other members of the Department.

C. Public Contact

1. Chaplains will not release any information to the news media, other citizens or insurance agencies on any case which has been brought to their attention, or in which the Chaplain has been a witness to or participated in.

D. Ride Alongs and Department Access

1. Chaplains may ride along at anytime after being selected, signing a liability waiver and attending orientation and training by the Chaplain Coordinator.
2. Chaplains will contact the Records Supervisor or Patrol Supervisor to ride with an Officer.
3. Chaplains may walk freely through the Department, while respecting the everyday functions of the Department.
4. Chaplains check in with the section's secretary or supervisor prior to entering any private office or work area.

E. Duties of the Chaplain Coordinator

1. The Chaplain Coordinator will report to the Commander over the Community Outreach Section. The Coordinator may be any Commissioned Officer or civilian employee of the Community Outreach Section appointed by the Chief of Police to coordinate and act as a Liaison Officer between the Volunteer Chaplains and the Department. If qualified, they may also serve dual role as Chaplain and Coordinator.
2. The Chaplain Coordinator will be responsible for all aspects of running the Volunteer Chaplains Corp such as: recruiting, training, keeping updated call out list and other duties described in the General Order.
3. The Chaplain Coordinator will develop, maintain and issue each Chaplain the Chaplain's Procedural Handbook.

End of General Order 26.07



Waco Police Department General Order



Title: PEER SUPPORT

Number: 26.08

Effective: 01/01/2016

Cancels: 26.08

Issued: 02/21/2013

Approved: 
Chief of Police

26.08.01 POLICY

The Peer Support Program is designed to support and benefit all Waco Police Department employees. This program provides an opportunity for employees who are having a personal or work-related crisis to receive assistance in working through a crisis and/or to improve their quality of life. Co-workers and friends are in the best position to observe when their fellow employees are experiencing stress that is unique to our profession. Early intervention for employees needing assistance is the primary goal of this program. All employees are encouraged to use this program when needed to help maintain their personal and professional health during the course of their career.

26.08.02 DEFINITIONS

- A. **PSP** – Peer Support Person. A properly trained peer who serves on the Peer Support team and is CISM (critical incident stress management) trained. This person may also be referred to as a Team Member.
- B. **Coordinator** – The Supervisor of the Victim Services Unit
- C. **Critical Incident** – An incident that results in varying degrees of emotional and psychological stress or trauma to an employee. Critical incidents can include, but are not limited to, incidents which involve:
 - 1. An officer's use of deadly force;
 - 2. The death of a Department employee;
 - 3. A crash, disaster or call for service that leads to significant injury or loss of life; or
 - 4. A significantly stressful on-duty encounter by an employee that occurs during an employee's job assignment which indicates that some type of employee assistance or intervention is needed.

26.08.03 SELECTION PROCESS FOR PEER SUPPORT MEMBERS

- A. The Coordinator will make a recommendation to the Chief of Police and may consider:
 - 1. An application submitted by a prospective peer support person;

2. A letter from the prospective peer support person and their supervisor describing why they may want to participate in this program and why it would be beneficial if they were chosen;
3. History of complaints; and
4. An interview with the Coordinator

B. The Chief of Police will make the final decision on who is chosen.

26.08.04 TEAM ACTIVATION

A. Persons authorized to activate a Peer Support Team

1. An employee who is in need of assistance or intervention;
2. A co-worker requesting assistance or intervention for an employee; or
3. A family member of an employee who needs assistance or intervention

B. Procedure

1. The Peer Support Team is available 24 hours a day.
2. Contact the Peer Coordinator if a team member is needed to provide assistance or intervention.
 - a. The Coordinator shall be called after a Critical Incident occurs, a Line of Duty death or any incident that results in injury or serious bodily injury to officers, employees or their family members.
 - b. The Coordinator may be called during any incident or event that has produced significant distress.
3. If the Coordinator is unavailable, contact Dispatch to request the on-call PSP.
 - a. On-Duty Peer Support Team members will be utilized first to respond to a call (with supervisor approval). If an on-duty officer is unavailable, an off-duty officer will respond and will be compensated according to General Order 42.03.
 - b. Persons receiving peer support may accept or reject any peer support services that have been offered to them. This must be done in writing or in person by the individual rejecting peer support services.

26.08.05 COORDINATOR RESPONSIBILITIES

A. The Coordinator manages the Peer Support Team and is responsible for:

1. Selection of Peer Support members;
2. Developing procedures for those members;
3. Arranging and/or conducting training for those members;

4. Maintaining an accurate list of names, contact numbers, duty assignments and other information regarding PSP team members;

5. Performing other duties as assigned.

B. Problems or concerns with the above program should be brought to the attention of the Coordinator.

26.08.06 OTHER GUIDELINES

A. Confidential Information

1. Maintaining the confidentiality of participants is a core principle of this program.

2. No one affiliated with this program may take or maintain written notes, audio recordings or video recordings of any kind during any peer support interaction.

3. Employees receiving assistance or intervention need to know that information they share with any team member will not be shared with anyone else.

4. Other than required disclosures, no other information will be shared with anyone unless the employee has given written permission and waived their confidentiality regarding information or issues discussed in the Peer Support related setting.

26.08.07 REPORTABLE INFORMATION

A. There are certain situations when information gained from a peer support session loses its confidentiality and must be reported:

1. The person being assisted displays behavior that indicates a possible danger to themselves or another person;

2. The person being assisted discusses previous or impending crimes that require reporting under state or federal law;

3. Actual or potential abuse or neglect of minors has been discovered / reported;

4. By court order; or

5. Actual or potential abuse, neglect or exploitation of elderly or disabled persons has been discovered / reported.

B. Other information about this program that may be disclosed or shared:

1. Whether an employee has visited with the Coordinator or other PSP as arranged by the requesting supervisor;

2. Whether an employee may be late for their work assignment due to a scheduled visit with the Coordinator or PSP (the employee is responsible to make this notification).




3. General statistics about the success of the program to include, but not limited to:

- a. How many referrals were received for the month (statistics only – no names);
- b. How many members are on the team;
- c. How many call outs occurred in a month;
- d. How many crisis debriefings were held in a month;
- e. Overall, how effective the program(s) have been.

26.08.08 MISCELLANEOUS

- A. Any employee who is off-duty and who serves as a PSP shall not perform any of their normal work duties while serving in a peer support role, but shall be compensated per General Order 42.03.
- B. Employees who seek help for **off**-duty, personal problems must schedule their appointment so that it occurs during their off-duty hours – no compensation will be paid for this type of peer support session.
- C. Peer Support members can be removed from the program if the team member violates any of the program's rules or procedures. This decision is made by the Chief of Police with a recommendation from the Coordinator.
- D. If an employee's performance is negatively affected due to an on-duty crisis, a supervisor may contact the Peer Support Coordinator who then contacts the employee to arrange a peer support meeting.
- E. The Peer Support Program is not part of the disciplinary process. No member of the Peer Support Team may intervene in the disciplinary process nor should any supervisor refer an employee for peer support in lieu of disciplinary action.

End of General Order 26.08

		Waco Police Department General Order			
Title:	FIREARMS & OTHER DEFENSIVE WEAPONS	Number:	31.01	Effective:	04/01/2011
Approved:	 Chief of Police	Cancels:	31.01	Issued:	05/10/2010

31.01.01 POLICY

Officers may carry approved weapons and related equipment on or about their persons for a legitimate law enforcement purpose or as otherwise authorized by law. Safety is given a high priority at all times during weapons handling.

31.01.02 DEFINITIONS

Department Armorer: refers to the officer assigned as the Range Master who works at the Firing Range.

Range Master: refers to a firearms instructor who has been designated as the Instructor in charge of firearms related training.

Retired Officer: as referred to in this order are those commissioned personnel that have retired from the Department in good standing and qualify annually with their handgun in order to carry a concealed handgun pursuant to Sect. 1701.357 Texas Occupations Code.

31.01.03 PROCEDURES

A. General Considerations

1. Active officers are issued a handgun, ammunition and duty gear unless the officer chooses to carry an approved alternate duty handgun.
2. Officers who want to carry an approved alternate duty firearm must complete and forward a Waco Police Department Weapon Request Form to the Department Armorer. The form is filed with the officer's training records at the Range.
3. Officers who choose to carry an approved alternate duty firearm must also furnish the magazines or any accessories at their own expense. Officers may use those items only after the Department Armorer has approved them. Department accessories may be used if compatible with an officer's approved alternate duty firearm.
4. Officers shall not unnecessarily display weapons. However, weapons may be readied for use in situations when they might be needed.
5. Officers will use the proper weapons handling techniques at all times.
6. The Department Armorer is in charge of the WPD Firing Range and property.

7. Firearms used by the Department's Active and Retired Officers in any law enforcement Capacity must be registered by make, model, caliber and serial number with the Department Armorer.
9. Upon retirement in good standing (Honorable Discharge), officers may be presented their Department issued handgun and magazines.
10. Officers shall not use weapons assigned to other personnel unless an emergency situation exists.
11. Non-commissioned personnel shall not carry weapons while on-duty, and cannot purchase firearms through the Department.
12. When carrying firearms, officers must carry their Department identification card, whether on-duty or off-duty.
13. Active and Retired Officers shall not carry or use firearms while they are intoxicated.
14. Active and Retired Officers may carry and use firearms if they are taking a prescription drug IF in the opinion of Employee Health, the prescribed medication would not negatively affect the officer's ability and judgment to properly use their firearm.
15. Active or Retired Officers shall not carry or use firearms when prohibited from doing so by any Federal or State law.
16. Instructors with direct oversight of any class involving the use of firearms ensure participants do not have in their possession lethal ammunition during training exercises or scenarios unless the training is intended to be a "live fire exercise."
17. The Department does not reimburse officers who choose to purchase a personally owned firearm to carry while on duty.
18. The Department may reimburse an officer for personally owned firearms lost (as allowed by policy) or damaged in the line of duty.

31.01.04 APPROVAL FOR AMMUNITION & FIREARMS

- A. Department approved ammunition must be used in firearms carried by on-duty commissioned personnel, in any Department owned firearm or by off-duty personnel working any approved off-duty or part-time law enforcement related job. Officers may check with the Department Armorer to determine which types of ammunition have been approved by the Department.
- B. All personnel must qualify with and show proficiency in the use of weapons and non-lethal devices assigned to them or approved for their use before being allowed to carry such items unless an emergency situation or other exception permits its use.

31.01.05 FIREARMS COMMITTEE

- A. This committee, comprised of Department officers, will meet at least annually to discuss and/or review issues related to the purchase and usage of body armor, firearms and firearms related equipment.
- B. The Firearms Committee may offer input to the Training Staff regarding whether or not a firearm and/or firearms related equipment should be approved or rejected. The Training Staff may agree or disagree with the Committee's recommendation. The Training Staff adds input to the Committee's recommendation then sends it to the Training Commander for his/her review. The Chief of Police makes the final decision on all firearms and equipment issues.

31.01.06 LONG GUNS

- A. Division Assistant Chiefs decide which officers in their Division may carry Department rifles.
- E. Officers may use sighting systems that are approved by the Department Armorer on a Department or personally owned rifle.

31.01.07 FIREARMS QUALIFICATION AND TRAINING

- A. Officers qualify a minimum of once per calendar year by successfully completing an approved course of fire with firearms used by officers in their official law enforcement capacity.
- B. A Range Master or Firearms Instructor must be present during each session of Department firearms qualification or training. In the event a Range Master cannot be present, a Firearms Instructor may be appointed to serve as the Range Master.
- C. A Range Master or designee is in charge of each qualification or training session regarding safety, courses of fire and general range operations. Violations of Department policy or training protocols that require documentation are referred to the officer's Chain of Command for further action.
- D. In the event of a mechanical failure of a weapon during qualification or training, the weapon is immediately surrendered to a Range Master for inspection and if necessary, a replacement weapon issued. Prior to being allowed to carry any weapon, the officer must successfully complete a qualifications course with the new weapon.
- E. Failure of an officer to successfully qualify with their firearm (perform an essential job function):
 - 1. During a qualification session, officers are given three opportunities to successfully qualify with their firearm. If an officer does not successfully qualify, a Range Master notifies the Training Unit Sergeant. The Sergeant then contacts the officer's immediate supervisor to

discuss the issue. If the immediate supervisor is not available, the officer's Commander or Assistant Chief is contacted.

2. The officer is immediately placed in a non-enforcement assignment pending the officer's successful firearm qualification. An officer may not carry or use a firearm for the duration of this restricted assignment.
3. Refusal or inability of an officer to successfully meet firearm qualification or firearms safety requirements for any reason may result in the officer's termination from employment.

31.01.08 CARE OF APPROVED WEAPONS

- A. Personnel maintain their weapons and keep them clean. Officers report to work with their weapons in operable condition. If an officer reports to work with an inoperable firearm, that officer is not allowed to work in a law enforcement capacity until the problem is remedied. If the weapon is inoperable due to an officer's negligence, disciplinary action may be taken.
- B. Failure to report lost or damaged Department-owned weapons and/or accessories constitute grounds for disciplinary action.
- C. Structural modification or repair of Department issued or personally owned firearms carried on-duty is not allowed without approval of the Department Armorer. Modifications and repairs to Department issued firearms or approved personally owned weapons that are carried on-duty may be completed by the Department Armorer or his designee (excludes normal repairs by the manufacturer).
- D. A Range Master or their designee may be contacted if an officer needs additional help in completely disassembling or cleaning their weapon.
- E. A Range Master or any supervisor may conduct periodic inspections to ensure weapons are being properly maintained. Safety is maintained at all times during any firearms inspection.

31.01.09 LESS THAN LETHAL DEVICES

A. Impact Devices

1. Officers will be trained and certified in the use of less than lethal devices issued to them by the Department.

B. Chemical Agents

1. Officers will be trained and certified in the use of chemical agents issued to them by the Department.
2. The SWAT Commander is responsible to order and maintain Department supplies of chemical agents.

3. A certified instructor in the use of aerosol restraint spray/chemical agents is present during training to oversee the safe handling, clean up and disposal of chemical agents.
- C. Supervisors may be issued 40mm launchers or similar devices which may be deployed in a field setting.
trained
- D. Electronic Control Devices (ECD's)

1. General Considerations

- a. Persons trained as ECD instructors are authorized to train WPD officers on the usage of electronic control devices.
- c. Unless an emergency situation exists; only employees who have successfully completed an ECD certification course may deploy ECD's and cartridges.
- e. ECD's shall be kept in a secure location to prevent unauthorized access by other persons.
- f. Officers must carry their ECD in a Department approved holster.
- h. Officers conduct a spark check once a week to ensure the device is functioning properly. This should be done out of the public's view.
- i. An officer's ECD shall be pointed in a safe direction during loading, unloading, spark testing or when the device is handled in any manner other than an actual deployment.
- j. An officer must inform the person or entity that receives custody of a suspect if an ECD has been used on that suspect.
- k. If a suspect who had an ECD used on them is booked into jail, officers must write in capital letters "ECD USED" and the time the device was used in the Injury Information box on the Arrest Report.
- l. All rules and regulations regarding ECD usage apply whether an officer is on-duty or off-duty.
- m. Unless the use of deadly force is justified or the officer can articulate why the use of their ECD was objectively reasonable for the situation, ECD's should not be deployed in the circumstances listed below:

2. Deployment Considerations

- a. ECD's may only be deployed or used for official police business and/or when necessary to accomplish a legitimate police purpose.
- b. ECD's may be used in the following situations:
 - c. Employees should assess the suspect's reaction each time an ECD is used on a suspect to decide if the ECD should be activated again or if its use should be discontinued and/or an alternate tactic used.
 - d. The following notifications are made after an ECD has been used on a person:
 - 1) An ambulance is called to the scene to medically check the person affected by the ECD. If the officer learns that the ambulance's response will be delayed, the officer may request that Fire Personnel respond to the scene to check the person's condition.

- 2) The involved officer's immediate supervisor is notified to respond to the scene. If that supervisor is unavailable, another patrol supervisor is dispatched to the scene.
- 3) A Crime Scene Technician or another officer responds to the scene to take photographs (see requirements in 3.a. below).
- e. Probes that have penetrated a person's skin are considered a biohazard and must be removed by ambulance or Emergency Room personnel.

3. Evidentiary Issues

- a. Photographs must be taken of all probe or contact stun impact areas after using any ECD even if no penetration of the skin occurred. Photographs should be taken before and after probe removal (if applicable). Photographs are retained as evidence following established Department procedures.
- b. Officers shall attempt to locate several AFID tags from the expended cartridge and tag the AFID tags and the expended cartridge into the Property Room as evidence. If no AFID tags can be located, the officer notes that in his/her offense report.

Tagged ECD items should be maintained as evidence in the Property Room and are not disposed of until the following minimum amount of time has elapsed from the date the ECD was used on a person:

- 1) 3 years from the date the device that was used on an adult; and
 - 2) 3 years after the juvenile's 18th birthday from the date the device was used on a juvenile.
 - c. If it appears that a person has had a serious adverse reaction to an ECD (serious bodily injury or death), the involved supervisor ensures that a Crime Scene Technician secures the officer's ECD and all its components (Afids, cartridges, wires, etc.) and tags them into the Property Room pending further evaluation and analysis.
 - d. The involved supervisor at the scene is responsible to download data from the discharged ECD as soon as possible, print the results and attach a copy to the case in Records. The original is attached to the Use of Force Form.
4. The Department's Training Unit will schedule certification and periodic re-certification classes on the use of these devices.

31.01.10 KNIVES

- A. Officers may carry a knife on or off duty. Officers are responsible for purchasing their own knife.

- B. Knives carried on duty are primarily used as utility tools, however knives may be used as needed to defend an officer or another person.
- C. Knives carried by officers are of quality design, strength and durability.

31.01.11 WEAPON MOUNTED FLASHLIGHTS

- A. The Department Armorer must approve weapon mounted lights before the light can be installed on any on-duty weapon.
- B. Use of the weapon-mounted flashlight to illuminate a suspect while the light is attached to a firearm is limited to situations in which the pointing of an officer's firearm at a person would be appropriate.

31.01.12 MISCELLANEOUS

- A. Active or retired commissioned personnel are required to immediately report to the Chief of Police if they become ineligible under State or Federal law to possess a firearm.
- B. Identification cards issued by the Waco Police Department are property of the Department and must be surrendered upon request.
- C. Active or retired commissioned personnel must carry their official identification in order to be authorized to carry a concealed firearm under the Law Enforcement Officers Safety Act, Public Law # 108-227 (aka LEOSA).

END OF GENERAL ORDER 31.01.



Waco Police Department General Order



Title: FIREARMS & OTHER
DEFENSIVE WEAPONS

Number: 31.01

Effective: 09/01/2012

Approved: *Bruce E. Worman*
Chief of Police

Cancels: 31.01

Issued: 04/01/2011

31.01.01 POLICY

Officers may carry approved weapons and related equipment on or about their persons for a legitimate law enforcement purpose or as otherwise authorized by law. Safety is given a high priority at all times during weapons handling.

31.01.02 DEFINITIONS

Department Armorer: refers to the officer assigned as the Range Master who works at the Firing Range.

Range Master: refers to a firearms instructor who has been designated as the Instructor in charge of firearms related training.

Retired Officer: as referred to in this order are those commissioned personnel that have retired from the Department in good standing and qualify annually with their handgun in order to carry a concealed handgun pursuant to Sect. 1701.357 Texas Occupations Code.

31.01.03 PROCEDURES

A. General Considerations

1. Active officers are issued a handgun, ammunition and duty gear unless the officer chooses to carry an approved alternate duty handgun.
2. Officers who want to carry an approved alternate duty firearm must complete and forward a Waco Police Department Weapon Request Form to the Department Armorer. The form is filed with the officer's training records at the Range.
3. Officers who choose to carry an approved alternate duty firearm must also furnish the magazines or any accessories at their own expense. Officers may use those items only after the Department Armorer has approved them. Department accessories may be used if compatible with an officer's approved alternate duty firearm.
4. Officers shall not unnecessarily display weapons. However, weapons may be readied for use in situations when they might be needed.
5. Officers will use the proper weapons handling techniques at all times.
6. The Department Armorer is in charge of the WPD Firing Range and property.

7. Firearms used by the Department's Active and Retired Officers in any law enforcement capacity must be registered by make, model, caliber and serial number with the Department Armorer.
9. Upon retirement of at least 20 years of service with Waco PD, in good standing (Honorable Discharge), officers may be presented their Department issued handgun and magazines. A Retired Firearm Form must be on file and signed by the Chief or his designee.
10. Officers shall not use weapons assigned to other personnel unless an emergency situation exists.
11. Non-commissioned personnel shall not carry weapons while on-duty, and cannot purchase firearms through the Department.
12. When carrying firearms, officers must carry their Department identification card, whether on-duty or off-duty.
13. Active and Retired Officers shall not carry or use firearms while they are intoxicated.
14. Active and Retired Officers may carry and use firearms if they are taking a prescription drug IF in the opinion of Employee Health, the prescribed medication would not negatively affect the officer's ability and judgment to properly use their firearm.
15. The Law Enforcement Officers Safety Act of 2004, Public Law # 108-227 (aka LEOSA) authorizes Active and Retired commissioned personnel to carry a concealed weapon.
 - a. Officers should be aware of the provisions of the Act which allows State and local governments to restrict persons from carrying a concealed weapon onto certain locations.
 - b. Active and Retired Officers must carry their official identification in order to be authorized to carry a concealed firearm under the LEOSA, Public Law # 108-227.
16. Instructors with direct oversight of any class involving the use of firearms ensure participants do not have in their possession lethal ammunition during training exercises or scenarios unless the training is intended to be a "live fire exercise."
17. The Department does not reimburse officers who choose to purchase a personally owned firearm to carry while on duty.
18. The Department may reimburse an officer for personally owned firearms lost (as allowed by policy) or damaged in the line of duty.

31.01.04 APPROVAL FOR AMMUNITION & FIREARMS

- A. Department approved ammunition must be used in firearms carried by on-duty commissioned personnel, in any Department owned firearm or by off-duty personnel working any approved off-duty or part-time law enforcement related job. Officers may check with the Department Armorer to determine which types of ammunition and firearms have been approved by the Department.

- B. All personnel must qualify with and show proficiency in the use of weapons and non-lethal devices assigned to them or approved for their use before being allowed to carry such items unless an emergency situation or other exception permits its use.

C

31.01.05 FIREARMS COMMITTEE

- A. This committee, comprised of Department officers, will meet at least annually to discuss and/or review issues related to the purchase and usage of body armor, firearms and firearms related equipment.
- B. The Firearms Committee may offer input to the Training Staff regarding whether or not a firearm and/or firearms related equipment should be approved or rejected. The Training Staff may agree or disagree with the Committee's recommendation. The Training Staff adds input to the Committee's recommendation then sends it to the Training Commander for his/her review. The Training Commander and the Assistant Chief over Training will make a recommendation to the Chief of Police for action. The Chief of Police makes the final decision on all firearms and equipment issues.

31.01.06 LONG GUNS

- A. Division Assistant Chiefs decide which officers in their Division may carry Department rifles.
- E. Officers may use sighting systems that are approved by the Department Armorer on a Department or personally owned rifle.

31.01.07 FIREARMS QUALIFICATION AND TRAINING

- A. Officers qualify a minimum of once per calendar year by successfully completing an approved course of fire with firearms used by officers in their official law enforcement capacity.
- B. A Range Master or Firearms Instructor must be present during each session of Department firearms qualification or training. In the event a Range Master cannot be present, a Firearms Instructor may be appointed to serve as the Range Master.
- C. A Range Master or designee is in charge of each qualification or training session regarding safety, courses of fire and general range operations. Violations of Department policy or training protocols that require documentation are referred to the officer's Chain of Command for further action.
- D. In the event of a mechanical failure of a weapon during qualification or training, the weapon is immediately surrendered to a Range Master for inspection and if necessary, a replacement

weapon issued. Prior to being allowed to carry any weapon, the officer must successfully complete a qualifications course with the new weapon.

- E. Failure of an officer to successfully qualify with their firearm (perform an essential job function):
1. During a qualification session, officers are given three opportunities to successfully qualify with their firearm. If an officer does not successfully qualify, a Range Master notifies the Training Unit Sergeant. The Sergeant then contacts the officer's immediate supervisor to discuss the issue. If the immediate supervisor is not available, the officer's Commander or Assistant Chief is contacted.
 2. The officer is immediately placed in a non-enforcement assignment pending the officer's successful firearm qualification. An officer may not carry or use a firearm for the duration of this restricted assignment.
 3. Refusal or inability of an officer to successfully meet firearm qualification or firearms safety requirements for any reason may result in the officer's termination from employment.

31.01.08 CARE OF APPROVED WEAPONS

- A. Personnel maintain their weapons and keep them clean. Officers report to work with their weapons in operable condition. If an officer reports to work with an inoperable firearm, that officer is not allowed to work in a law enforcement capacity until the problem is remedied. If the weapon is inoperable due to an officer's negligence, disciplinary action may be taken.
- B. Failure to report lost or damaged Department-owned weapons and/or accessories constitute grounds for disciplinary action.
- C. Structural modification or repair of Department issued or personally owned firearms carried on-duty is not allowed without approval of the Department Armorer. Modifications and repairs to Department issued firearms or approved personally owned weapons that are carried on-duty may be completed or inspected and approved by the Department Armorer or his designee (excludes normal repairs by the manufacturer).
- D. A Range Master or their designee may be contacted if an officer needs additional help in completely disassembling or cleaning their weapon.
- E. A Range Master or any supervisor may conduct periodic inspections to ensure weapons are being properly maintained. Safety is maintained at all times during any firearms inspection.

31.01.09 LESS THAN LETHAL DEVICES

A. Impact Devices

1. Officers will be trained and certified in the use of less than lethal devices issued to them by the Department.

B. Chemical Agents

1. Officers will be trained and certified in the use of chemical agents issued to them by the Department.
 2. The SWAT Commander is responsible to order and maintain Department supplies of chemical agents.
 3. A certified instructor in the use of aerosol restraint spray/chemical agents is present during training to oversee the safe handling, clean up and disposal of chemical agents.
- C. Supervisors may be issued 40mm launchers or similar devices which may be deployed in a field setting.

D. Electronic Control Devices (ECD's)

1. General Considerations

- a. Persons trained as ECD instructors are authorized to train WPD officers on the usage of electronic control devices.
- c. Unless an emergency situation exists, only employees who have successfully completed an ECD certification course may deploy ECD's and cartridges.
- e. ECD's shall be kept in a secure location to prevent unauthorized access by other persons.
- f. Officers must carry their ECD in a Department approved holster.
- h. Officers conduct a spark check once a week to ensure the device is functioning properly. This should be done out of the public's view.
- i. An officer's ECD shall be pointed in a safe direction during loading, unloading, spark testing or when the device is handled in any manner other than an actual deployment.
- j. An officer must inform the person or entity that receives custody of a suspect if an ECD has been used on that suspect.
- k. If a suspect who had an ECD used on them is booked into jail, officers must write in capital letters "ECD USED" and the time the device was used in the Injury Information box on the Arrest Report.

1. All rules and regulations regarding ECD usage apply whether an officer is on-duty or off-duty.
 - m. Unless the use of deadly force is justified or the officer can articulate why the use of their ECD was objectively reasonable for the situation, ECD's should not be deployed in the circumstances listed below:
 - n. Those officers assigned an ECD that is equipped with dual head cartridges (i. e. Taser X-2) will not deploy the ECD on two suspects simultaneously unless the officer believes it is necessary to protect himself or a third party from imminent bodily injury.
2. Deployment Considerations
 - a. ECD's may only be deployed or used for official police business and/or when necessary to accomplish a legitimate police purpose.
 - b. ECD's may be used in the following situations:

- c. Employees should assess the suspect's reaction each time an ECD is used on a suspect to decide if the ECD should be activated again or if its use should be discontinued and/or an alternate tactic used.
 - d. The following notifications are made after an ECD has been used on a person:
 - 1) An ambulance is called to the scene to medically check the person affected by the ECD. If the officer learns that the ambulance's response will be delayed, the officer may request that Fire Personnel respond to the scene to check the person's condition.
 - 2) The involved officer's immediate supervisor is notified to respond to the scene. If that supervisor is unavailable, another patrol supervisor is dispatched to the scene.
 - 3) A Crime Scene Technician or another officer responds to the scene to take photographs (see requirements in 3.a. below).
 - e. Probes that have penetrated a person's skin are considered a biohazard and must be removed by ambulance or Emergency Room personnel.
3. Evidentiary Issues
- a. Photographs must be taken of all probe or contact stun impact areas after using any ECD even if no penetration of the skin occurred. Photographs should be taken before and after probe removal (if applicable). Photographs are retained as evidence following established Department procedures.
 - b. Officers shall attempt to locate several AFID tags from the expended cartridge and tag the AFID tags and the expended cartridge into the Property Room as evidence. If no AFID tags can be located, the officer notes that in his/her offense report.
- Tagged ECD items should be maintained as evidence in the Property Room and are not disposed of until the following minimum amount of time has elapsed from the date the ECD was used on a person:
- 1) 3 years from the date the device that was used on an adult; and
 - 2) 3 years after the juvenile's 18th birthday from the date the device was used on a juvenile.
- c. If it appears that a person has had a serious adverse reaction to an ECD (serious bodily injury or death), the involved supervisor ensures that a Crime Scene Technician secures the officer's ECD and all its components (AFIDs, cartridges, wires, etc.) and tags them into the Property Room pending further evaluation and analysis.
 - d. The involved supervisor at the scene is responsible to download data from the discharged ECD as soon as possible, print the results and attach a copy to the case in Records. The original is attached to the Use of Force Form.
4. The Department's Training Unit will schedule certification and periodic re-certification classes on the use of these devices.

31.01.10 KNIVES

- A. Officers may carry a knife on or off duty. Officers are responsible for purchasing their own knife.
- B. Knives carried on duty are primarily used as utility tools, however knives may be used as needed to defend an officer or another person.
- C. Knives carried by officers are of quality design, strength and durability.

31.01.11 WEAPON MOUNTED FLASHLIGHTS

- A. The Department Armorer must approve weapon mounted lights before the light can be installed on any on-duty weapon.
- B. Use of the weapon-mounted flashlight to illuminate a suspect while the light is attached to a firearm is limited to situations in which the pointing of an officer's firearm at a person would be appropriate.

31.01.12 MISCELLANEOUS

- A. Active or retired commissioned personnel are required to immediately report to the Chief of Police if they become ineligible under State or Federal law to possess a firearm.
- B. Identification cards issued by the Waco Police Department are property of the Department and must be surrendered upon request.

End of General Order 31.01



Waco Police Department General Order



Title: FIREARMS & OTHER
DEFENSIVE WEAPONS

Number: 31.01

Effective: 01/01/2016

Approved: *[Signature]*

Chief of Police

Cancels: 31.01

Issued: 09/01/2012

31.01.01 POLICY

Officers may carry approved weapons and related equipment on or about their persons for a legitimate law enforcement purpose or as otherwise authorized by law. Safety is given a high priority at all times during weapons handling.

31.01.02 DEFINITIONS

- A. **Department Armorer** - refers to the officer assigned as the Range Master who works at the Firing Range.
- B. **Range Master** - refers to a firearms instructor who has been designated as the Instructor in charge of firearms related training.
- C. **Primary Duty Handgun** - The firearm issued by this agency to be carried as part of the service uniform or by plainclothes officers.
- D. **Alternate Duty Handgun** - A firearm that is not issued by the department but is carried in place of the primary duty handgun.
- E. **Backup Handgun** - A firearm that is not issued by the department and is carried in a concealed manner while on duty in addition to the duty handgun or alternate duty handgun.
- F. **Off Duty Firearm** - A firearm that is not issued by the department and is carried in a concealed manner while off duty.
- G. **Retired Officer** - as referred to in this order are those commissioned personnel that have retired from the Department in good standing and qualify annually with their handgun in order to carry a concealed handgun pursuant to Sect. 1701.357 Texas Occupations Code.

31.01.03 PROCEDURES

A. General Considerations

1. Active officers are issued a Primary Duty Handgun, ammunition and duty gear unless the officer chooses to carry an approved alternate duty handgun.
2. Officers who want to carry a handgun in an alternate duty, backup or off duty capacity or a personally owned rifle or shotgun must complete and forward a Waco Police Department Weapon Request Form to the Department Armorer. The form is filed with the officer's training

records at the Range.

3. Officers who choose to carry a handgun in an alternate duty, backup, or off-duty capacity must also furnish the magazines or any accessories at their own expense. Officers may use those items only after the Department Armorer has approved them. Department accessories may be used if compatible with an officer's approved alternate duty firearm.
4. Officers shall not unnecessarily display weapons. However, weapons may be readied for use in situations when they might be needed.
5. Officers will use the proper weapons handling techniques at all times.
6. The Department Armorer is in charge of the WPD Firing Range and property.
7. Firearms used by the Department's Active and Retired Officers in any law enforcement capacity must be registered by make, model, caliber and serial number with the Department Armorer
9. Upon retirement of at least 20 years of service with Waco PD, in good standing (Honorable Discharge), officers may be presented their Department issued handgun and magazines. A Retired Firearm Form must be on file and signed by the Chief or his designee.
10. Officers shall not use weapons assigned to other personnel unless an emergency situation exists.
11. Non-commissioned personnel shall not carry weapons while on-duty, and cannot purchase firearms through the Department.
12. When carrying firearms, officers must carry their badge and department identification card, whether on-duty or off-duty.
13. Active and Retired Officers shall not carry or use firearms while they are intoxicated.
14. Active and Retired Officers may carry and use firearms if they are taking a prescription drug IF in the opinion of Employee Health, the prescribed medication would not negatively affect the officer's ability and judgment to properly use their firearm.
15. The Law Enforcement Officers Safety Act of 2004, Public Law # 108-227 (aka LEOSA) authorizes Active and Retired commissioned personnel to carry a concealed weapon.
 - a. Officers should be aware of the provisions of the Act which allows State and local governments to restrict persons from carrying a concealed weapon onto certain locations.
 - b. Active and Retired Officers must carry their official identification in order to be authorized to carry a concealed firearm under the LEOSA, Public Law # 108-227.
16. Instructors with direct oversight of any class involving the use of firearms ensure participants do not have in their possession lethal ammunition during training exercises or scenarios unless

the training is intended to be a "live fire exercise."

17. The Department does not reimburse officers who choose to purchase a personally owned firearm to carry while on duty.

18. The Department may reimburse an officer for personally owned firearms lost (as allowed by policy) or damaged in the line of duty.

31.01.04 APPROVAL FOR AMMUNITION & FIREARMS

A. Department issued ammunition must be used in firearms carried by officers whether on-duty or off duty. Officers that wish to carry ammunition not issued by the department on-duty or off duty must obtain approval from the supervisor of the Training Unit.

D. All personnel must qualify with and show proficiency in the use of weapons and non-lethal devices assigned to them or approved for their use before being allowed to carry such items unless an emergency situation or other exception permits its use.

31.01.05 FIREARMS COMMITTEE

A. This committee, comprised of Department officers, will meet at least annually to discuss and/or review issues related to the purchase and usage of body armor, firearms and firearms related equipment.

B. The Firearms Committee may offer input to the Training Staff regarding whether or not a firearm and/or firearms related equipment should be approved or rejected. The Training Staff may agree or disagree with the Committee's recommendation. The Training Staff adds input to the Committee's recommendation then sends it to the Training Commander for his/her review. The Training Commander and the Assistant Chief over Training will make a recommendation to the Chief of Police for action. The Chief of Police makes the final decision on all firearms and equipment issues.

31.01.06 LONG GUNS

A. Division Assistant Chiefs decide which officers in their Division may carry Department rifles.

- E. Officers may use sighting systems that are approved by the Department Armorer on a Department or personally owned rifle.

31.01.07 FIREARMS QUALIFICATION AND TRAINING

- A. Officers qualify a minimum of once per calendar year by successfully completing an approved course of fire with firearms used by officers in their official law enforcement capacity. The officer must hit the required percentage of times as well as show proficiency with the weapon and associated equipment. This includes a satisfactory draw, magazine change and disassembly of weapon for cleaning.
- B. A Firearms Instructor must be present during each session of Department firearms qualification or training. If the Department Armorer is unable to oversee the qualification or training, he will appoint a Firearms Instructor as the Range Master.
- C. The Department Armorer or designee is in charge of each qualification or training session regarding safety, courses of fire and general range operations. Violations of Department policy or training protocols that require documentation are referred to the Supervisor of the Training Unit, who then notifies the officer's Chain of Command for further action.
- D. In the event of a mechanical failure of a weapon during qualification or training, the officer is expected to immediately make the weapon operational using methods taught by the Department. Whether or not the weapon is "fixed," the weapon is turned over to the Department Armorer for inspection and, if necessary, a replacement weapon issued. Prior to being allowed to carry any new weapon, the officer must successfully complete a qualifications course with the new weapon.
- E. Failure of an officer to successfully qualify with their firearm (perform an essential job function):
 - 1. During a qualification session, officers are given three opportunities to successfully qualify with their firearm. If an officer does not successfully qualify, the Range Master notifies the Training Unit Sergeant. The Sergeant then contacts the officer's immediate supervisor to discuss the issue. If the immediate supervisor is not available, the officer's Commander or Assistant Chief is contacted.
 - 2. The officer is immediately placed in a non-enforcement assignment pending the officer's successful firearm qualification. An officer may not carry or use a firearm for the duration of this restricted assignment.
 - 3. The officer's supervisor shall arrange with the Training Unit a period of formal remedial firearms training not to exceed three (3) days in duration.
 - 4. Refusal or inability of an officer to successfully meet firearm qualification or firearms safety requirements for any reason may result in the officer's termination from employment.

31.01.08 CARE OF APPROVED WEAPONS

- A. Personnel maintain their weapons and keep them clean. Officers report to work with their weapons in operable condition. If an officer reports to work with an inoperable firearm, that

- officer is not allowed to work in a law enforcement capacity until the problem is remedied. If the weapon is inoperable due to an officer's negligence, disciplinary action may be taken.
- B. Failure to report lost or damaged Department-owned weapons and/or accessories constitute grounds for disciplinary action.
 - C. Structural modification or repair of Department issued or personally owned firearms carried on-duty is not allowed without approval of the Department Armorer. Any modifications or repairs to any firearm must be inspected and approved by the Department Armorer before use in a law enforcement capacity.
 - D. A Range Master or any supervisor may conduct periodic inspections to ensure weapons are being properly maintained. Safety is maintained at all times during any firearms inspection.

31.01.09 LESS THAN LETHAL DEVICES

A. Impact Devices

1. Officers will be trained and certified in the use of less than lethal devices issued to them by the Department.

B. Chemical Agents

1. Officers will be trained and certified in the use of chemical agents issued to them by the Department.
 2. The SWAT Commander is responsible to order and maintain Department supplies of chemical agents.
 3. A certified instructor in the use of aerosol restraint spray/chemical agents is present during training to oversee the safe handling, clean up and disposal of chemical agents.
- C. Supervisors and other designated personnel may be issued 40mm launchers or similar devices which may be deployed in a field setting.

D. Conducted Electrical Weapons (CEW's)

1. General Considerations

- a. Persons trained as CEW instructors are authorized to train WPD officers on the usage of conducted electrical weapons.

- c. Unless an emergency situation exists, only employees who have successfully completed a CEW certification course may deploy CEW's and cartridges.
- e. CEW's shall be kept in a secure location to prevent unauthorized access by other persons.
- f. Officers must carry their CEW in a Department approved holster.
- h. Officers conduct a spark check once a week to ensure the device is functioning properly. This should be done out of the public's view.
- i. An officer's CEW shall be pointed in a safe direction during loading, unloading, spark testing or when the device is handled in any manner other than an actual deployment.
- j. An officer must inform the person or entity that receives custody of a suspect if a CEW has been used on that suspect.
- k. If a suspect who had a CEW used on them is booked into jail, officers must write in capital letters "CEW USED" and the time the device was used in the Injury Information box on the Arrest Report.
- l. All rules and regulations regarding CEW usage apply whether an officer is on-duty or off-duty.
- m. Unless the use of deadly force is justified or the officer can articulate why the use of their CEW was objectively reasonable for the situation, CEW's should not be deployed in the circumstances listed below:

- n. Those officers assigned an CEW that is equipped with dual head cartridges (i. e. Taser X-2) will not deploy the CEW on two suspects simultaneously unless the officer believes it is necessary to protect himself or a third party from imminent bodily injury.

2. Deployment Considerations

- a. CEW's may only be deployed or used for official police business and/or when necessary to accomplish a legitimate police purpose.
- b. CEW's may be used in the following situations:
 - c. Employees should assess the suspect's reaction each time a CEW is used on a suspect to decide if the CEW should be activated again or if its use should be discontinued and/or an alternate tactic used.
 - d. The following notifications are made after a CEW has been used on a person:
 - 1) An ambulance is called to the scene to medically check the person affected by the CEW. If the officer learns that the ambulance's response will be delayed, the officer may request that Fire Personnel respond to the scene to check the person's condition.
 - 2) The involved officer's immediate supervisor is notified to respond to the scene. If that supervisor is unavailable, another patrol supervisor is dispatched to the scene.
 - 3) A Crime Scene Technician or another officer responds to the scene to take photographs (see requirements in 3.a. below).
- e. Probes that have penetrated a person's skin are considered a biohazard and must be removed by ambulance or Emergency Room personnel.

3. Evidentiary Issues

- a. Photographs must be taken of all persons on whom the CEW was used. An overall photograph of the individual is taken for identification purposes as well as of all probe or contact stun impact areas even if no penetration of the skin occurred. Photographs should be taken before and after probe removal (if applicable). Photographs are handled and retained as evidence following established Department procedures.
 - b. All components of the CEW shall be collected per established procedures and tagged into the Property Room. Components to be collected include: CEW expended cartridge, wires, probes and several AFID tags. (Every effort will be made to collect the expended cartridge with the wires and probes still intact.)
 - c. Tagged CEW components should be maintained as evidence in the Property Room and are not disposed of until the following minimum amount of time has elapsed from the date the CEW was used on a person:
 - 1) 3 years from the date the device that was used on an adult; and
 - 2) 3 years after the juvenile's 18th birthday from the date the device was used on a juvenile.
 - d. If it appears that a person has had a serious adverse reaction to a CEW (serious bodily injury or death), the involved supervisor ensures that a Crime Scene Technician secures the officer's CEW and all its components (AFIDs, cartridges, wires, etc.) and tag them into the Property Room pending further evaluation and analysis.
 - e. The involved supervisor at the scene is responsible to download data from the discharged CEW as soon as possible, print the results and attach a copy to the case in Records. The original is attached to the Use of Force Form.
4. The Department's Training Unit will schedule certification and periodic re-certification classes on the use of these devices.
- #### E. Procedure for Collection of Conducted Electrical Weapon (CEW) Evidence
1. Make every effort to keep the cartridge and wires connected to the probes.
 2. While following established procedures, remove the expended cartridge from the CEW
 3. Once the probes have been photographed in place, have the emergency medical personnel remove the probes from the individual without breaking the wires if possible. Ask the emergency medical personnel to insert each probe into each of the holes in the end of the cartridge.
 4. While wearing gloves, slide a hard plastic cartridge onto the cartridge. This will secure the probes inside the cartridge.
 5. The wires can now be wrapped around the cartridge which will secure the cartridge cover in place.

6. The cartridge can now be either placed in an appropriately sized cardboard box or paper bag. These cartridges are bio hazardous evidence and should be handled and marked as such.
7. Tag the cartridge as any other bio hazardous evidence would be tagged.

31.01.10 KNIVES

- A. Officers may carry a knife on or off duty. Officers are responsible for purchasing their own knife.
- B. Knives carried on duty are primarily used as utility tools, however knives may be used as needed to defend an officer or another person.
- C. Knives carried by officers are of quality design, strength and durability.




31.01.11 WEAPON MOUNTED FLASHLIGHTS

- A. The Department Armorer must approve weapon mounted lights before the light can be installed on any on-duty firearm. If the Department Armorer did not mount the light, he must approve the modification before it can be used in any law enforcement capacity.
- B. Use of the weapon-mounted flashlight to illuminate a suspect while the light is attached to a firearm is limited to situations in which the pointing of an officer's firearm at a person would be appropriate.

31.01.12 MISCELLANEOUS

- A. Active or retired commissioned personnel are required to immediately report to the Chief of Police if they become ineligible under State or Federal law to possess a firearm.
- B. Identification cards issued by the Waco Police Department are property of the Department and must be surrendered upon request.

End of General Order 31.01

		Waco Police Department General Order			
Title: OFFICER'S RESPONSE TO AGGRESSIVE, RESISTANT OR UNCOOPERATIVE PERSONS		Number: 31.02	Effective Date: 05/01/2010		
		Cancels: 31.02	Issued: 12/01/2005		
Approved:  Chief of Police					

31.02.01 POLICY

Officers are authorized to use force and/or deadly force in response to any person's aggression or resistance when reasonable to gain control or compliance from a person, to protect themselves or others from harm, or to bring an incident or situation under control.

PENAL CODE DEFINITIONS

Deadly Force: Force that is intended or known by the actor to cause or in the manner of its use or intended use is capable of causing serious bodily injury or death to another person.

Force: Physical contact made with a subject to compel the subject to submit to authority for a search, detainment, arrest, or to defend a person from an illegal act. This physical contact may be made with a bodily contact alone or assisted by a device.

GENERAL PROCEDURES

31.02.02 Use of Force and Deadly Force

- A. A peace officer is justified in using force against another when and to the degree the peace officer reasonably believes the force is needed to make or assist in making an arrest or search, or to prevent or assist in preventing escape after arrest, if:
 1. The officer reasonably believes the arrest or search is lawful or, if the arrest or search is made under a warrant, the officer reasonably believes the warrant is valid; and
 2. Before using force, the officers manifest their purpose to arrest or search, and identify themselves as peace officer, unless the officers reasonably believe their purpose and identity are already known by or cannot reasonably be made known to the person to be searched or arrested.
- B. A peace officer is justified in using deadly force against another when and to the degree the peace officer reasonably believes the deadly force is immediately necessary to make an arrest, or to prevent escape after arrest, if the use of force would have been justified under Subsection A. above and:
 1. The officer reasonably believes the offense for which arrest is authorized included the use or attempted use of deadly force; or

2. The officer reasonably believes there is a substantial risk that the person to be arrested will cause death or serious bodily injury to the officer or another if the arrest is delayed.
- C. Commissioned personnel may use force or deadly force according to the guidelines found in this policy when defending themselves or another person from the threat of harm or injury.

31.02.03 General Guidelines

- A. Officers may use any equipment or tactic approved or authorized by Departmental policies, procedures or training. An exception may be made due to the rise of exigent circumstances that make the use of a non-approved device more effective than an approved device.
- B.
- C.
- D. A supervisor may authorize the use of deadly force according to the guidelines found in this policy.
- E. Any Department owned or approved firearm, device or piece of equipment which may have caused serious bodily injury or death to any person must be tagged as evidence into the Property Room:
 1. The tagged items are kept a minimum of three (3) years from the date of the incident. However, if the recipient of force was a juvenile, the items must be kept three (3) years past the juvenile's 18th birthday.
 2. The Special Crimes supervisor may return an officer's firearm at the completion of the investigation.
- F. Personnel who are involved in the use of deadly force will be:
 1. Placed in an alternate assignment pending completion of the administrative and/or criminal Use of Force investigation;
 2. Scheduled for mandatory evaluation with a designated psychologist or psychiatrist; and
 3. Scheduled to attend a Critical Incident Stress Debriefing session. The CISD is coordinated by the Victim Services Unit staff and is usually scheduled within 72 hours after an incident. Personnel who are the subject of an investigation as a result of the use of deadly force may opt out of the CISD, but are required to participate in the evaluation as outlined in 31.02.03 (F)2.

31.02.04 Investigative and Notification Requirements

- A. The Special Crimes Supervisor or their designee makes the primary offense report on all police related shootings and other incidences where an officer or other party is seriously injured as a result of police action occurring inside the Waco city limits.

B. The following persons are to be notified on incidents described in 31.02.04 A. above:

1. Special Crimes Unit Supervisor or designee;
2. Crime Scene Supervisor or designee;
3. On-duty supervisor in Charge of the Department;
4. Officer's immediate supervisor;
5. Professional Standards and Conduct Supervisor; and
6. Other personnel the on-duty supervisor deems necessary.
7. The Public Information Officer;
8. Supervisors in the officer's Chain of Command (if they are off duty);
9. Attorney assigned to the Police Department or the on-call City Attorney;
10. Victim Services Unit personnel; and the
11. City of Waco Risk Manager.

C. Personnel are required to immediately notify their supervisor;

1. Anytime they discharge a firearm or cause serious bodily injury to any person in the performance of their duties, whether on-duty or off-duty, regardless where the incident occurred.
2. When an officer, whether on duty or off duty, discharges a firearm and the discharge violates any law.
3. When an officer, whether on duty or off duty, discharges a firearm and the discharge was due to inattention or reckless behavior regardless where the incident occurs.
4. When any governmental entity or organization issues a citation to an officer or makes an incident report as a result of the officer's discharge of a firearm.
5. If the incident occurs inside the City of Waco, the ranking on-duty patrol supervisor is also immediately notified.

31.02.05 Administrative Requirements

A. Employees must document the following;

1. When a subject receives an injury as a result of police action involving non – lethal use of force,
2. When an officer uses one of the following;
 - a) a strike,
 - b) a chemical agent,
 - c) an impact device,
 - d) an EDC (including misses), or
 - e) a K9 bite

3. On a Non-Lethal Force Administrative Report Form and on an offense or supplement police report.

B. The completed Non-Lethal Force Administrative Report Form is attached to relevant offense reports and sent for review through the chain of command to the officer's Assistant Chief.

C. Any corrective action or input from the officer's Chain of Command is documented on the Non-Lethal Force Administrative Report Form (or if necessary, on an attached Memorandum).

D. Any supervisor who receives a complaint regarding the officer's use of force or determines the officer's use of force violated Department policy completes a Personnel Complaint Form to begin the process for an internal investigation according to G.O. 45.01.

- E. Once all reviews are finished in the chain of command, the completed Report is sent to the Professional Standards and Conduct supervisor, who ensures the use of force was within Department Policy and forwards the Report to the Chief for final review. When accompanied by a Personnel Complaint Form, the Non-Lethal Force Administrative Report Form is delivered to the Chief with the completed internal investigation.
- F. After the Chief's final review, completed Reports are filed in the Professional Standards and Conduct Office by the PSAC supervisor, who also forwards a copy of all Non-Lethal Force Administrative Report Forms to the Training Unit. The Training Unit will review for any issues related to the training being provided to Department personnel.
- G. The officer's immediate Supervisor is responsible to ensure that any necessary training or other required action that was recommended above is actually completed.

31.02.06 Injury or Destruction of Animals

- A.
- B. When an on-duty officer discharges a firearm at an aggressive animal, the officer ensures that the incident is properly documented via the **Injured/Destruction of Animal Administrative Form** and photographs.
- C. Supervisors of employees who discharge a firearm at an animal as described above shall review the **Injured/Destruction of Animal Administrative Form**. The original form is sent through the Chain of Command to the Professional Standards and Conduct supervisor for review. A copy of the form is also sent to the Chief of Police (see attachment). Any concerns or problems are handled according to existing policies.
- D. The PSAC supervisor will forward a copy of the **Injured/Destruction of Animal Administrative Form** to the Training Unit for review.

END OF GENERAL ORDER 31.02

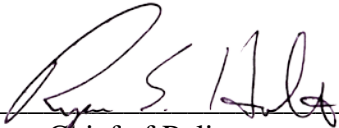


Waco Police Department General Order



Title: Emergency Vehicle Operations **Number:** 31.03 **Effective:** 08/20/2018

Cancels: 31.03 **Issued:** 09/01/2010

Approved: 
Chief of Police

31.03.01 POLICY

It is the policy of the Waco Police Department to identify and apprehend criminals and traffic violators using reasonable, practical and accepted police procedures, as it relates to emergency police response and vehicle pursuits.

Officers of the Waco Police Department shall operate vehicles in compliance with Department policy, applicable ordinances of the City of Waco and the statutes of the State of Texas. Officers shall thoroughly acquaint themselves with the Texas Transportation Code as it applies to authorized emergency vehicles.

Additionally, officer shall be constantly aware actions involving emergency vehicle operations and vehicle pursuits are subject to both internal and judicial review. Officers operating Department vehicles have a duty to drive with due regard for the safety of all persons.

31.03.02 DEFINITIONS

Authorized Emergency Vehicle: A vehicle of this agency equipped with operable emergency equipment (lights/siren) as designated by Texas law.

Emergency Operation: The driving of a Department vehicle with lights/siren activated.

Moving Roadblock: The use of two or more police vehicles to surround a fleeing vehicle (at speeds less than an estimated 10 mph) for the purpose of controlling the speed or direction of that vehicle.

Normal Police Operations: The driving of a Department vehicle while engaged in normal patrol operation or responding to routine incidents or calls for service. Officers utilize normal traffic flow obeying all traffic patterns, signs and signals.

Primary Officer: The officer initiating a pursuit or any officer assuming direct control of a pursuit.

Ramming: The intentional contact between a police vehicle and a fleeing vehicle.

Roadblock: A deliberate obstruction of traffic on a roadway for a specific objective, usually to stop a fleeing suspect. It does not necessarily mean a complete stoppage of traffic or a complete blockage of the roadway.

Secondary Officer: Any officer becoming involved as a backup to the Primary Officer actively engaged in a vehicular pursuit, following the primary officer at a safe distance.

Suspect Immobilization: The use of a vehicle to strike a person in an attempt to prevent that person from causing serious bodily injury or death to another person.

Tire Deflation Device: A device constructed to puncture vehicle tires when they roll over it allowing a controlled release of air.

Vehicle Pursuit: An active attempt by an officer in an authorized emergency vehicle to apprehend a fleeing suspect who is actively attempting to elude police.

31.03.03 PROCEDURES

- A. Victim Services is contacted to transport children requiring child safety seats. In emergency situations, officers may transport children without child safety seats to remove them from danger or harm. Once the child is removed, Victim Services is contacted for further transport.
- B. Police vehicles are not left out of an employee's sight with the engine in operation and/or the keys in the vehicle (exception: specially equipped K9 vehicles).

31.03.04 EMERGENCY DRIVING PROCEDURES

- A. This General Order does not attempt to identify every situation warranting an emergency response. Examples listed below are incidents which might merit an emergency response and provide a baseline of identifiable incidents in which an officer can make a reasonable judgment if the situation merits an emergency response:
 - 1. Officer needing assistance
 - 2. Felony crimes in progress (Murder/Sexual Assault/Robbery/Burglary)
 - 3. Medical emergency/collision with injuries
 - 4. Incidents or situations where imminent danger to persons or property exists
- B. Officers undertaking an emergency response shall evaluate factors such as nature of the call, time of day, volume of traffic (vehicles/pedestrians), weather and road conditions.
- C. Officers must slow down or come to a complete stop when proceeding against a stop sign, traffic signal, crossing lanes of traffic, etc. The officer ensures each individual lane of travel is clear and/or each approaching vehicle has yielded the right-of-way to their police vehicle before proceeding.
- D. Officers should pass other motorists on the right only when there are no other avenues available, always exercising extreme caution.
- E. Employees do not provide emergency escorts for private vehicles.
- F. Sometimes officers must respond to certain situations using an alternative or "stealth approach."

1. Officers may operate an authorized emergency vehicle for a law enforcement purpose without using their emergency equipment if the officer is responding to an emergency call with probable cause that knowledge of the presence of the officer will cause the suspect to:
 - a. Destroy or lose evidence of a suspected felony;
 - b. Evade apprehension or identification of the suspect and/or the suspect vehicle;
 - c. End a suspected continuing felony before the officer has obtained sufficient evidence to establish grounds for arrest; or
 - d. The suspect's knowledge of the officer's presence could cause the suspect to injure any person.
2. Examples of emergency incidents in which the "stealth approach" would be authorized include:
 - a. Robbery in progress alarms
 - b. Hostage situations
 - c. Felony crimes in progress (suspect still on scene)
 - d. Suspicious/unusual activity requiring undetected response and/or observation
3. This section does not relieve officers engaged in a stealth approach from the duty to operate their police vehicle with appropriate due regard for the safety of all persons and property. Officers will activate the in-car camera whenever using the stealth approach and whenever possible officers should utilize their emergency lights when proceeding through intersections contrary to traffic control devices. Examples of reckless disregard for the safety of all persons and property include but are not limited to:
 - a. Proceeding through a stop or yield sign without slowing down or being able to stop for traffic having the right of way.
 - b. Proceeding through a traffic signal indicating stop or caution without slowing down or being able to stop for traffic having the right of way.
 - c. Crossing lanes of traffic without signaling intent and being able to stop for traffic having the right of way, weaving from lane to lane in congested traffic and driving on the wrong side of the road where an officer's vision is obstructed for an unsafe distance.
 - d. Exceeding the maximum speed limit in such a manner as to unreasonably endanger life or property.

31.03.05 VEHICULAR PURSUITS

- A. Court decisions and review of police pursuits mandate there must be a balance between the dangers posed by a pursuit and the danger to the public should an offender remain at large. It is impossible to cover, by policy, every conceivable situation that might arise. Each officer must consider the potential danger, the degree of unlawful behavior involved and alternatives to pursuit. Whenever possible, officers attempting to apprehend offenders shall consider

measures other than vehicle pursuit.

- B. Non-commissioned personnel or volunteers shall not engage in pursuits of persons or vehicles.
- C. Officers will not initiate, nor engage, in a vehicular pursuit when:
 - 1. Civilians or prisoners are being transported (unless approved by a supervisor).
 - 2. Officer believes the risk to innocent citizens outweighs the need of immediate apprehension.
 - 3. Pursuit was initiated by an outside agency (unless approved by a supervisor).
- D. Officers may initiate a vehicular pursuit when the following criteria have been met:
 - 1. At the onset, a Class C offense has been committed in the officer's presence and as the pursuit continues, the suspect complies with all traffic laws (except stopping for the officer), or, the traffic law violations do not constitute an aggressive and/or dangerous attempt to avoid apprehension, or:
 - 2. At the onset, an offense classified as a Class B Misdemeanor or above has been committed. The offense of fleeing/evading (Penal or Traffic Codes) would not suffice, or
 - 3. An offense as defined in Section 545.401 (Reckless Driving) or 545.420 (Racing on Highway) of the Texas Transportation Code has been committed.
- E. Officers must obtain a patrol supervisor's approval before engaging in a vehicular pursuit while outside the Waco City Limits.
- F. Only units equipped with emergency lights and siren may engage in pursuits.
- G. When feasible, available patrol units having the most prominent markings and emergency equipment are used to pursue, particularly as the primary officer. When a pursuit is initiated by other than a marked patrol unit, such unit assumes a secondary position when a marked unit becomes available.
- H. Primary Officer Responsibilities:
 - 1. An officer who initiates or becomes involved in a vehicle pursuit will:
 - a. Immediately notify Dispatch by police radio of impending or ongoing pursuit and the reason for such action.
 - b. Broadcast a description of vehicle, license number and any other pertinent information.
 - c. Give location, speed, direction of travel and traffic conditions.
 - d. Describe the driving behavior of the pursued vehicle.
 - e. **Continuously** utilize all emergency equipment (lights/siren).
 - 2. The Primary Officer has the discretion to discontinue a pursuit based on personal observation that the conditions have deteriorated and the danger posed by continuing

poses greater threats than the value of apprehension or the distance between the fleeing vehicle and the pursuing officer is so great that further pursuit is futile.

3. Discontinuing a vehicular pursuit is accomplished by:

- a. The Primary Officer turning off their emergency equipment.
- b. Notifying Dispatch of the discontinuance, giving the last known direction of the suspect's vehicle and the officer's current direction of travel
- c. Officers turning their vehicles onto an intersection street, going a different direction than the suspect vehicle, or
- d. In the event there are no intersection streets, officers safely come to a complete stop and remain stationary for several minutes before resuming normal patrol operations

I. Secondary Officer Responsibilities

1. No more than two units actively pursue unless a supervisor authorizes additional units.
2. Secondary Officer maintains a safe distance behind the Primary Officer.
3. **Continuously** utilize all emergency equipment (lights/siren).
4. Secondary Officer assumes radio communication responsibility, allowing the Primary Officer to devote full attention to the fleeing vehicle.
5. Officers shall not attempt to pass the Primary Officer involved in the pursuit unless advised to do so by the Primary Officer.
6. Additional units may respond to the area of the pursuit; however an emergency response or paralleling pursuit is prohibited.
7. Police units broadcast emergency radio traffic only during a vehicular pursuit incident.

J. Supervisor Responsibilities

1. The Primary Officer's immediate supervisor acknowledges the pursuit over the police radio and monitors the pursuit until its conclusion. In the event the primary radio channel is busy, the supervisor acknowledges the pursuit on a different radio channel.
 - a. If the officer's immediate supervisor does not acknowledge the pursuit, Dispatch attempts to contact the officer's supervisor.
 - b. If the supervisor doesn't respond, a different supervisor is called.
 - c. The first supervisor contacted is assigned responsibility for the pursuit.
 - d. If a supervisory level staff member initiates a pursuit, when feasible, he should relinquish the primary position to a subordinate and take up a position that will allow for objective supervision of the pursuit.

2. Upon acknowledging the pursuit, supervisors immediately evaluate the reasonableness of the pursuit based upon totality of the circumstances. Supervisors may discontinue or terminate the pursuit based on the circumstances known to the supervisor at that point in time.
3. If the pursuit moves outside the City of Waco, the supervisor in charge of monitoring the pursuit directs Dispatch to notify the law enforcement agencies having jurisdiction in that area without delay.
4. When possible, the supervisor in charge of monitoring the pursuit responds to the location where the pursued vehicle has stopped.

K. Dispatch Responsibilities

1. Dispatch assists with radio traffic as needed to maintain adequate communications.
2. Other radio traffic is kept to a minimum.
3. Dispatch notifies an air unit if one is available.

L. Air Unit

1. If available, an air unit may take direct control over a pursuit at the request of the primary officer, pursuit supervisor or Department Command officer.
2. In the event an air unit does take control of the pursuit, all police ground units discontinue their pursuit.
3. The air unit may assist in directing ground units to respond to specific locations.

M. Response to Resistance

1. Officer shall not discharge firearms from their moving police vehicle unless necessary to save a life or unless approved to do so by a police supervisor.
2. A suspect posing a deadly force threat may be immobilized using a police vehicle.
3. Forcible stopping techniques such as ramming may be used to terminate a vehicular pursuit or potential deadly force threat if all of the following conditions are met:
 - a. Officers are justified in using deadly force against a suspect inside the fleeing vehicle; consideration must be given to other occupants that may be present in the suspect vehicle;
 - b. The fleeing vehicle is traveling an estimated 20 miles per hour or less, and
 - c. Supervisory approval must be obtained prior to ramming unless the officer does not have time to obtain supervisory approval prior to the use of the technique. Officers will be required to articulate their actions in detail.

31.03.06 ROADBLOCKS

- A. The safety of the public must be the determining factor when using roadblocks and tire deflation devices. The risks of continuing a pursuit must be considered greater than the risks encountered when using a roadblock. This is a decision that must be made based on the facts and circumstances of each pursuit.
- B. Several types of roadblocks may be used. Since each situation is different, there is no step-by-step guideline to dictate when or what type of roadblock should be used. The primary factor is safety.
- C. Supervisor Responsibility
 - 1. Commanders or Acting Commanders direct and control the situation with safety being the primary concern.
 - 2. Consider existing conditions, such as nature of offense, traffic volume, roadway and area characteristics, availability of back-up officers, etc.
 - 3. Decide what type of roadblock to use, if needed, and its location.
- D. Officers engaged in the pursuit carry out the supervisor's orders.
- E. Types of Roadblocks:
 - 1. Traffic flares and/or cones
 - a. Traffic flares and/or cones are placed across the roadway in an effort to stop or channel the fleeing vehicle to an area to stop and/or to travel across a tire deflation device.
 - b. Officers setting up this roadblock must assume the fleeing vehicle will not stop and must place themselves and their emergency vehicle in a position of safety.
 - c. The emergency vehicles should be off the roadway in a safe position, ready to engage in the pursuit, if it becomes necessary. Emergency lights are activated.
 - 2. Stationary Roadblock
 - a. This is a partial roadblock of the roadway using suitable material such as construction barricades; however, if nothing else suitable is available, unoccupied emergency vehicles with emergency lights can be used.
 - b. Occupied or privately owned vehicles do not block roadways.
 - c. Under no circumstances will a roadway be completely blocked by objects or unoccupied emergency vehicles.
 - d. The roadblock will be set up in such a manner as to leave a safe route through it and the area.
 - e. The decision should be such that it would be necessary to proceed through at a reasonable

speed and/or travel across a deflation device.

- f. Emergency vehicles used to block the roadway should be positioned so they are either facing away from or toward the direction of the pursuit, so the emergency lights and the vehicle lights are more visible to those involved in the pursuit. Emergency vehicles may be angled slightly to narrow the roadway.
- g. Stationary roadblocks will be located in an area which will afford a clear visibility to all roadway users in all directions and which provide a safe stopping distance for traffic in order to minimize dangers to officers and the public.
- h. Officers place themselves in positions of safety. Officers position themselves to apprehend the suspect if they opt to stop at the roadblock.
- i. Emergency vehicles not being used to block the roadway should be off the roadway in a safe position, ready to engage in the pursuit if necessary. Emergency lights are activated.

3. Moving Roadblocks

- a. This usually involves the use of two patrol cars in front of the fleeing vehicle. The emergency vehicles are then gradually slowed to a stop, forcing the fleeing vehicle to stop.
- b. This type of roadblock is extremely hazardous. The driver of the fleeing vehicle is very unpredictable and many times will choose any avenue of escape or ram the emergency vehicle(s).
- c. This type of roadblock should only be used when other types are not appropriate, when it is necessary to protect others.

31.03.07 USE OF TIRE DEFLATION DEVICES

- A. Tire deflation devices placed across the roadway may be used when officers are engaged in pursuits and/or roadblocks. The use of tire deflation devices is not considered an application of deadly force because they allow a slow, controlled release of air from the fleeing vehicle's tires, which should not cause the driver of the fleeing vehicle to lose control.
- B. Tire deflation devices are assigned to an emergency vehicle and stored in a set position in the rear of the vehicle. Tire deflation devices are pre-loaded in the black nylon sleeves with the cord reels attached.
- C. Tire deflation devices may be used in conjunction with stationary roadblocks as allowed in 31.03.06 E. 1. a.
- D. Officers shall not deploy a tire deflation device unless they have been trained in its use as established by the Waco Police Department and the manufacturer's recommendations.
- E. The deploying officer makes all officers involved aware of the exact location of the deployed tire deflation device, to allow them to slow down for the removal of the device after the fleeing vehicle travels over it. Measures should be taken to divert other traffic from the area to prevent unnecessary damage to uninvolved vehicles.

- F. Tire deflation devices are only used on vehicles with four or more wheels. Tire deflation devices shall not be used when the pursuit involves motorcycles, three-wheeled vehicles, all-terrain vehicles, etc. except those incidents where deadly force is justified and only with supervisory approval.
- G. Officers deploying tire deflation devices shall safely position themselves on the side of the roadway where they have a clear view of the oncoming pursuit.
- H. Tire deflation devices are not loaned to other agencies.
- I. The Patrol Office Sergeant is notified anytime a tire deflation device is in need of repair or replacement.
- J. The supervisor in charge of the pursuit is assigned to investigate and report any third party claims of damage and/or injury as a result of using this device. A copy of the supervisor's memorandum is sent through the chain of command to the City of Waco Risk Manager.

31.03.08 PURSUITS BY OUTSIDE AGENCIES

- A. When Dispatch is notified of a pursuit entering the City of Waco, the information is broadcast and a Patrol Supervisor is notified. Notification includes the type of offense the pursuit is for. If the Supervisor believes the seriousness of the offense and the circumstances do not justify continuing the pursuit, the outside agency is requested by Dispatch personnel to discontinue their pursuit.
- B. Assisting outside agencies with pursuits:
 - 1. A Patrol Supervisor may assign the nearest marked unit to assist the outside agency if the Supervisor believes the offense for which the outside agency is pursuing the suspect vehicle justifies a pursuit.
 - 2. A Patrol Supervisor may assign additional units as needed.
 - 3. The primary officer assumes the role as the secondary pursuit vehicle.
 - 4. If the pursuit leaves the City of Waco, the assisting officer discontinues the pursuit unless:
 - a. A Patrol Supervisor authorizes their assistance to continue;
 - b. The outside agency requests continued assistance and a supervisor authorizes assistance to continue, or;
 - c. Discontinuing Department assistance jeopardizes the safety of the pursuing agency's officers or others.
 - 5. Officers assisting another agency engaged in a vehicular pursuit must comply with the provisions outlined in this General Order without regard to the other agency's pursuit policies regarding emergency vehicle operations or use of force.

31.03.09 POST PURSUIT RESPONSIBILITIES

- A. The Primary Officer properly completes an Offense Report regardless of whether or not an arrest was made.
- B. Involved supervisors review and critique each pursuit with involved officers. Supervisors confirm the officer's compliance with Department policy and State Law, making appropriate recommendations and/or taking appropriate corrective action as needed.
- C. The Primary Officer prepares a Pursuit Record form, submitting it through the proper chain of command to the Assistant Chief.
- D. The Assistant Chief forwards the form to the Training Sergeant.
- E. The Training Sergeant reviews the original form and may meet, as needed, with the involved officers and supervisors.
- F. The form is returned to the Assistant Chief for their review and signature.
- G. The completed form is the returned to the Training Sergeant for final review and filing.
- H. The Accident Reconstructionist may be called to assist in emergency driving or pursuit-related vehicle collisions resulting in serious bodily injury, extensive property damage or death. The on-scene supervisor notifies the Risk Manager and Legal regarding theses types of incidents.

End of General Order 31.03



Waco Police Department General Order



**Title: RACIAL PROFILING
TCPA 2.01**

Number: 31.04

Effective: 12/05/2017

Cancels: 31.04

Issued: 01/01/2016

Approved:

Chief of Police

31.04.01 POLICY

This policy affirms the Waco Police Department's commitment to prohibit racial profiling. Commissioned officers will investigate and enforce city ordinances and state and federal laws within their authority in a responsible and professional manner, treating all citizens fairly and equitably.

31.04.02 DEFINITIONS

- A. Race or Ethnicity:** means of a particular descent, including Black, Asian/Pacific Islander, White, Hispanic/Latino, and Alaska Native/American Indian.
- B. Racial Profiling:** is defined as a law enforcement-initiated action based on race, ethnicity or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.
- C. Motor Vehicle Stop:** Vehicle to vehicle contact which requires collection and reporting of data related to a peace officer who stops a motor vehicle for an alleged violation of a law or ordinance.

31.04.03 PROCEDURES

- A. City of Waco police officers are strictly prohibited from engaging in racial profiling.
- B. Commissioned personnel who have questions about their duties as required by any of the racial profiling statutes shall discuss them with their immediate supervisor.
- C. Employees who witness conduct prohibited by this policy shall immediately report the violation to an on-duty police supervisor.
- D. Officers may, among other things, take into account the reported race, ethnicity, age, gender or other physical description of a suspect in establishing reasonable suspicion, probable cause or in forming the basis for any legitimate law enforcement action.
- E. Supervisors shall periodically review in-car video recordings for each officer assigned to them to check compliance with state laws and this policy.
- F. Appropriate corrective action is taken against any officer who, after investigation, is shown to have engaged in racial profiling or other misconduct in violation of this policy.

31.04.04 CITIZEN COMPLAINT PROCEDURE

- A. During normal business hours, any citizen who makes a complaint against an officer for racial profiling is referred to the Professional Standards and Conduct Unit. During non-business hours, the complaint reporting procedures in General Order 45.01 are followed by the supervisor receiving the complaint.
- B. Complaints which specifically allege a violation of this policy are considered Class 1 complaints and are investigated by the Professional Standards and Conduct Unit.
- C. If a complaint is made alleging racial profiling, the Department shall provide a copy of any available recording of the incident to the affected officer if the officer makes a written request for the recording.
- D. In addition to any disciplinary action recommended by the Chain of Command, officers may be required to attend diversity training and/or sensitivity training as a result of a sustained complaint in violation of this policy.
- E. The Professional Standards and Conduct Unit is responsible to provide education to the public relating to our Department's complaint process. Information on public education efforts performed each year is included with each annual report sent to the City Council and Texas Commission on Law Enforcement Standards and Education.

31.04.05 COLLECTION OF DATA

- A. If a motor vehicle is stopped for an alleged violation of a law or ordinance and the driver and/or passenger is cited, issued a warning, or arrested for the reason the motor vehicle stop is made, racial profile data must be collected. The officer who makes the stop will document, on a citation or warning, the following information on the driver and/or any passenger(s) who were cited, warned, or arrested:
 - 1. The race or ethnicity of the person cited or arrested;
 - 2. Whether a search was conducted, and if so:
 - a. whether the driver and/or passenger was searched;
 - b. whether the vehicle was searched;
 - c. whether the driver and/or passenger consented to the search;
 - d. what was found as a result of the search;
 - 3. Whether the officer knew the race or ethnicity of the person cited or arrested before stopping the motor vehicle.
 - 4. Whether the officer used physical force that resulted in bodily injury, as that term is defined by section 1.07, Penal Code (physical pain, illness, or any impairment of physical condition), during the stop;
 - a. The location of the stop;

b. The reason for the stop;

5. Whether the driver and/or passenger was issued a citation or arrested.

B. Examples of when racial profiling data is collected:

1. An officer stops a motor vehicle occupied by five individuals because he sees the vehicle has an expired registration. The officer cites the driver. Racial profiling data on the driver is captured.
2. An officer stops a motor vehicle because he sees a passenger in the vehicle not wearing a seat belt. The officer cites the passenger. Only racial profiling data on the cited passenger is captured.
3. An officer observes a person fire a handgun from a moving motor vehicle and arrests the offender. Racial profiling data on the offender is captured.

C. Supervisors shall review all citations for accuracy and completeness to ensure compliance with this policy, and identify any improvements the Waco Police Department could make in its practices and policies regarding motor vehicle stops.

D. Supervisors may request statistics about motor vehicle stops made by their officers from the Planning Unit for their review.

31.04.06 REPORTING OF DATA

- A. The Chief of Police is required to submit an annual report to the Waco City Council and to the Texas Commission on Law Enforcement Standards and Education no later than March 1st of each year.
- B. The Planning Unit is responsible to analyze motor vehicle stop data and prepare any reports as required by law and/or the Chief of Police.
- C. Written reports distributed according to this policy may not include identifying information of officers who made the motor vehicle stop nor shall the report contain the names of any driver or passenger who was cited or arrested as a result of the stop.
- D. The Support Services Division is responsible to collect and store all data collected under this policy.
- E. Data collected under this policy shall not constitute prima facie evidence of racial profiling.
- F. All in-car recorded media of motor vehicle stops must be kept a minimum of 180 calendar days or until the final disposition of a complaint of racial profiling, whichever date is later.

End of General Order 31.04



Waco Police Department General Order



Title: IMMIGRATION ENFORCEMENT

Number: 31.05

Effective: 09/01/2017

Cancels: NA

Issued: 09/01/2017

Approved:

Chief of Police

31.05.01 POLICY

It is the policy of this department that our officers and civilian employees shall comply with all applicable state and federal laws regarding immigration enforcement issues and constitutional limitations on that authority.

31.05.02 DEFINITIONS

“ICE” means the Immigration & Customs Enforcement branch of the federal government.

“Proof of residency” shall include a government issued photographic identification card or a document issued by the federal government indicating current legal immigrant status. It shall include, for these limited purposes, expired, revoked or suspended driver’s licenses.

“Detainer request” means a 48 hour hold issued by ICE based upon probable cause that a person has violated immigration restrictions and is civil in nature.

“Lawful detention” means a detention based upon reasonable suspicion that the detainee has committed, is committing or is about to commit a criminal offense **other than an immigration violation**. For purposes of **this** directive the term “lawful detention” shall not include a detention of a person who is a victim or witness of an offense.

“Lawful arrest” means an arrest based upon probable cause that the arrestee has committed a criminal offense **other than an immigration violation**.

“Extended period of time” means a period of time that last longer than 30 minutes.

31.05.03 COMPLIANCE

All employees shall comply with this directive. It shall be the duty of all supervisors to monitor employee activities to insure compliance.

31.05.04 PROCEDURES

Officers shall follow these guidelines when inquiring about immigration status. Nothing in this section is intended to prohibit an officer’s sending or receiving information to or from any federal agency charged with enforcing immigration issues or any other police agency.

- A. During a lawful detention officers **may** inquire about the detainee's immigration status. Officers should be mindful that if the detainee has provided proof of residency further inquiries about immigration status are not necessary.
- B. During a lawful arrest officers **may** inquire about the arrestee's immigration status. Officers should be mindful that if the arrestee has provided proof of residency, further inquiries about immigration status are not necessary.
- C. Officers may not consider race, color, religion, language, or national origin in order to inquire about a person's immigration status except to the extent permitted by the United States Constitution or the Texas Constitution.
- D. If an officer makes an inquiry about a detainee's immigration status during a detention, the contact and inquiry will be documented in an offense report. The offense report will be separate from any other reports that are required, i.e. DWI and Immigration Enforcement would require a separate report for each.
- E. During a lawful detention, officers may make inquiries via TCIC/NCIC to determine if the detainee is the subject of any ICE warrants or detainer requests. Officers shall not take the detainee into custody based solely upon an ICE detainer request.
- F. During a lawful detention officers may make inquiries via the local ICE agent or representative. Officers shall be mindful that a person cannot be detained for an extended period of time to await the response of an ICE agent or representative. Officers shall not take the person into custody solely for an ICE detainer. An ICE agent must respond to the officer's location to take charge of the individual. If the person is not arrested for a separate criminal charge the officer shall not transport the individual to any facility to await the arrival of an ICE agent.
- G. Officers are reminded that a person who is lawfully detained is not obligated to respond to questions, including questions about identity and immigration status. Officers shall not compel a detained person to provide identification. Officers shall not arrest a person who refuses to identify themselves during a lawful detention, unless such a refusal violates state law.

31.05.05 ENFORCEMENT COOPERATION

- A. Officers and civilian staff are authorized to assist immigration officials in enforcement actions pursuant to the following rules.
- B. Officers and staff shall cooperate with immigration officials who are investigating immigration matters.

- C. Officers and civilian staff shall not assist or cooperate with immigration authorities if the enforcement action is to take place at a place of worship.

- D. Any officer or civilian staff who receives a request to assist in an ICE enforcement action shall immediately contact an on duty supervisor and relay the request. The supervisor will then determine whether there is sufficient personnel to assist ICE. That assistance shall be limited to establishing a secure perimeter for the enforcement action.

End of General Order 31.05



Waco Police Department General Order



Title: **OPERATIONS OUTSIDE
DEPARTMENT JURISDICTION**

Number: **32.01** Effective: **01/01/2016**

Cancels: **32.01** Issued: **04/02/1995**

Approved: *Brent E. Roman*
Chief of Police

32.01.01 POLICY

The Department's jurisdiction includes all areas within the legal boundaries of the City of Waco. Mutual aid agreements may be established with other agencies to be implemented in emergency or on-going cooperative efforts.

32.01.02 PROCEDURES

A. Agency Jurisdiction

1. The boundaries and limits of Department jurisdiction are those set out and described in the Metes and Boundaries Annexation File and recorded with the City Secretary.
2. An official City map detailing City's boundaries and interior police beat boundaries is maintained in Communications.
3. Requests for Assistance From Outside Agencies:
 - a. No one except the Chief or the Assistant Chief acting in the Chief's absence is permitted to authorize use of any Department resource or service outside the Waco City limits. The decision will be made based on the factors listed in c. below, as well as, interlocal agreements in effect at the time.
 - b. Commanders and Sergeants will refer the person making the request to the County, State, or Federal agency that can provide the same service in the event that the Waco Police Department cannot provide that service.
 - c. This Order is in no way intended to prevent response to situations that require immediate action, when it would be reasonable to do so.
 - (1). To prevent serious bodily injury or death to any person
 - (2). To provide assistance to another law enforcement agency that would relate to the apprehension of a suspect for a serious crime
 - (3). To provide assistance when a safety risk exists for another law enforcement officer
 - d. The supervisor designated as the Patrol Shift Commander has authority to approve use of resources in the type of situations described in letter c. above and will notify the Chief or

Assistant Chief as soon as possible after resources are committed. In no circumstances will resources be committed out of McLennan County without the express authorization of the Chief of Police or the Assistant Chief acting in the Chief's absence.

B. Mutual Aid

1. The agreement exists for additional law enforcement officers to provide assistance to each other in the event of natural disaster, mass disorder, or other emergency situations.
2. A mutual aid agreement contract should include, at a minimum, the following:
 - a. The legal status of agencies and agency employees responding to mutual aid request
 - b. Procedures for investing provider agency employees with the legal authority to act within the receiver agency jurisdiction
 - c. Procedures for requesting mutual aid
 - d. Identity of those persons authorized to request mutual aid
 - e. Identity of persons to whom outside employees are to report
 - f. Procedures for maintaining radio communication with outside employees
 - g. Expenditures, if any, which are borne by the receiver agency to compensate for use of the provider's agency resources
3. Agreements are reviewed annually by the Department Legal Advisor to ensure that they define the current legal status of agencies involved. Updates are approved by the office of the City Attorney.
4. Copies of agreements are filed in the Chief's Office and Legal Advisor's office.
5. State and federal assistance is requested through the Waco-McLennan County Emergency Operations office.

C. Routine Police Operations Outside Waco City Limits

1. Employees performing the police function notify the local law enforcement agency in that jurisdiction of the following:
 - a. Nature of the operation
 - b. Number of officers involved
 - c. Whether officers involved are uniformed or not
 - d. Vehicles involved
 - e. Duration of operation

2. If warranted, communications are established with the local law enforcement agency prior to the operation.

End of General Order 32.01



Waco Police Department General Order



**Title: SUPERVISOR'S DUTIES
AND RESPONSIBILITIES**

Number: 41.01 Effective: 09/10/2014

Cancels: 41.01 Issued: 11/09/1992

Approved: 
Chief of Police

41.01.01 POLICY

Supervisors not only manage and control but are also expected to be leaders. Supervisors are representatives of professional policing and of the Department to the community. Supervisors insure the mission and role of the Department in the community is realized in a positive and professional manner. Supervisors are also responsible to create the environment where each individual in our organization has the opportunity to succeed and contribute to the mission of the organization. Supervisors set the example for their peers and their subordinates and as such are held to a higher standard with an increased level of expectations.

41.01.02 PROCEDURES

A. Requirements of Department Supervisors

1. Properly supervise employees under their command and ensure subordinates are supporting the mission of the Department.
2. Oversee operations under their command and initiate action to correct or eliminate problems or discrepancies that come to their attention.
 - a. All areas under a supervisor's command are monitored to ensure assignments are properly completed.
 - b. Each supervisor monitors the work of all employees under their command to ensure efficient and effective performance.
 - c. Supervisors do not wait for someone else to initiate the correction of problems or discrepancies. They are responsible to perform this duty by the shortest and quickest means possible.
 - d. If circumstances exist which prohibit a supervisor from initiating action to correct an obvious problem, they notify their superior as soon as possible.
3. Provide proper training and instructions to all employees assigned under their command. This includes necessary training on all written or oral orders applicable to each employee's job.
4. Answer all job related questions asked by their subordinates. If a supervisor does not know the answer to a question, they find the answer and give the employee a reply within a reasonable period of time.

5. Assist subordinates with their regular duties as needed to successfully accomplish work assignments. This is especially important during peak periods, employee shortages or any other time when the need exists.
6. Work in a positive manner with other supervisors to coordinate work processes and mediate employee issues.
7. Meet the specific professional expectations as conveyed in writing to each supervisor during their meeting with the Chief at the time of promotion.

B. Employee Utilization

1. Supervisors make assignments as necessary to ensure that all employees under their command contribute toward the workload of the organization.
 - a. Supervisors stay current on job assignments that need to be performed in their work areas.
 - b. If a supervisor does not have enough work to keep his subordinates busy, they contact their superior.
 - c. Work assignments are based on need and if a work needs exist in another area of the Department, it is the supervisor's responsibility to recognize these needs, prioritize them and assign them to employees.

C. Periodic Review of Written Orders

1. Supervisors periodically review all written orders that apply to their area of assignment.
2. Supervisors ensure that subordinates properly review and retrain on orders applicable to their jobs. Sufficient supervisory contacts are made to determine that subordinates have a current understanding of their duties and responsibilities.

D. Keeping Superiors Informed

1. All supervisors keep their superiors informed of significant activity, problems or complaints within their areas of responsibility.
2. Supervisors keep their superiors informed of their scheduled work hours (including changes) and their whereabouts during duty hours.

E. Response to Written Recommendations, Suggestions, Complaints, Comments, or Requests

1. Employee suggestions, complaints, or requests are addressed by applicable supervisors at the time they are received.
2. Written communications including recommendations, suggestions, comments, complaints or requests forwarded through the chain of command will have attached each supervisor's specific written comments or recommendation concerning the written communication. Supervisors do not simply forward this type of information to their superior without comment for a decision or recommendation to be made.

3. Supervisors are specific and will either agree or disagree with the written communication and state the specific reason(s) for the position they are taking.
4. Supervisors consider budget and personnel limitations when making their responses.

F. Supervisor's Responsibility to Initiate Compliance to Orders

1. Every supervisor is responsible to see that all applicable orders and Department processes are followed.
2. When any order directs a specific unit, section, or division to perform or be responsible for specific functions, the supervisors over that unit, section or division are responsible to initiate sufficient action for compliance.

G. Second Level Supervisory Responsibilities

1. Commanders represent their Assistant Chief and the Chief in their absence.
2. In addition to the other supervisor responsibilities and duties required by this order, Commanders and civilian equivalent positions are responsible to see that other supervisors under their command comply with all supervisor requirements

H. Division Assistant Chief Responsibilities

1. Assistant Chiefs represent the Chief and the Department in the Chief's absence.
2. In addition to the other responsibilities and duties required by this order, Assistant Chiefs are responsible to:
 - a. Ensure that all supervisors under their command comply with all supervisory requirements.
 - b. Review and inspect all areas under their command to ensure a consistently efficient and effective operation.
 - c. Develop and implement necessary controls that provide a means of determining whether or not work is proceeding properly.
 - d. Monitor work production close enough to detect problem areas as soon as possible.
 - e. Take necessary action to correct problem areas at the earliest possible time.
 - f. Coordinate the efforts of their area of responsibility with other segments of the Department.

End of General Order 41.01



Waco Police Department General Order



**Title: RESERVE OFFICER/STRUCTURE
AND RESPONSIBILITIES**

Number: 41.03 Effective: 01/01/2016

Cancels: 41.03 Issued: 08/07/2005

Approved:


Chief of Police

41.03.01 POLICY

The use of Reserve Police Officers allows for members of the community to be involved with law enforcement in a meaningful way and furthers the Department's commitment to community policing. Waco Reserve officers may act only in a supplementary capacity to the regular police force and may not assume the full-time duties of regular police officers without complying with the requirements for regular police officers. Reserves are appointed by and at the discretion of the Chief of Police and with approval from the Waco City Council.

41.03.02 LEVELS OF SERVICE

A. Level 1

1. **Training** - Level set for licensed Police Officers not from our Department who need training on WPD policy and procedures and serves as a probationary period. This could be for a uniform or non-uniform reserve assignment and is the preliminary level of service prior to any higher level of service.

B. Level 2

1. **Restricted** - Reserves serving at this level are non-uniform and do not have any duties outside an office at one of our police facilities. Reserves serving at this level must be able to meet TCOLE requirements and be able to work within restrictions imposed by the Department.
2. Possible work assignments within this Level of service: phone call investigations and follow-up, assisting with crime lab, assisting with property room, assisting personnel and training. Assignments at this level have minimal if any physical contact with the public.

C. Level 3

1. **Limited** - Reserves serving at this level may be non-uniform or uniform and may be assigned to work limited duties in the field. Reserves serving at this level can drive unmarked department vehicles and marked department vehicles in non-enforcement circumstances; i.e. parade, vehicle maintenance, etc. Reserves serving at this level must be able to meet TCOLE requirements and be able to work within the limitations imposed by the Department.
2. Possible work assignments within this Level of service: all those assignments from Level 2, directing traffic or other non-enforcement activities for special events, assisting crime scene technicians in the field, assisting investigators in the field with non-enforcement activities (i.e.

statements and field interviews).

D. Level 4

1. **Full Duty Status** - Reserves serving at this level may be uniform and non-uniform and work a field assignment in the capacity of and with the same authority as a Waco Police Officer. Reserves serving at this level must be able to meet at TCOLE requirements and the same Department requirements for any of our full duty police officers.
2. Possible work assignments within this Level of Service: all those assignments from Level 2 and 3, ride in marked units as back-up (second officer) to our field patrol officers, work with investigators in the field including service warrants; in the case of an emergency or at the direction of a field supervisor, perform any function performed by a Waco Police Officer.

41.02.03 PROCEDURES

A. Eligibility Requirements for Reserve Police Officers

1. Applicant must be at least 21 years of age
2. Physical Condition
 - a. Level 4 Applicants must be able to pass the physical agility exam given to our academy applicants.
 - b. Level 2 and 3 Applicants must be able to meet the physical requirements necessary to perform their restricted or limited work assignment.
3. General Requirements
 - a. Must complete an application with the Department Personnel Unit
 - b. Must meet the same education requirements as applicants for full time officer positions
 - c. Must be able to read and write the English language
 - d. Must be of good moral character
 - e. Not ever have been convicted of a felony offense, a Class A or B misdemeanor within the last 5 years
 - f. Must not have made any false statement in any material fact or practiced or attempted to practice any deception or fraud in application, examination or appointment.
 - g. Must not have been dismissed from public service for inefficiency, delinquency or misconduct nor resigned in lieu of termination or while under internal or criminal investigation
 - h. Must appear for requested exams and interviews
 - i. Must have a permanent Texas Peace Officer's License

j. Must have a valid Texas Driver's License

4. All applicants, except those exempted below, are required to pass the following exams and background investigation even though they are licensed peace officers

a. Applicants are required to take and pass a:

(1). Polygraph test

(2). Psychological exam

(3). Drug test

(4). Physical exam

b. Background investigations are conducted in the following areas to include:

(1). Criminal history

(2). Driving history

(3). Credit history

(4). Past employment history

(5). General background with respect to references and others who can verify applicant's conduct is consistent with position requirements

c. Applicants may be rejected at any point in the screening process

d. Former or Retired Waco Police Officers may be exempted from some of the requirements of this order as long as they were not terminated, did not resign or did not retire from the Department because of an ongoing internal investigation or to avoid a suspension.

B. Requirements of Reserve Officer Duty

1. Reserve officers must serve in a Waco Police Department assignment a minimum of 30 hours per quarter during the calendar year. Only 24 hours of TCOLE/Department training or serving as an instructor can contribute to the total minimum hours per calendar year.

2. Reserve officers are required to participate in:

a. TCOLE mandated training

b. Any training required by the Chief of Police

c. Firearms training provided by the Department

d. The Waco Police Academy maintains records of Reserve Officer training

- e. Each Level 3 and Level 4 Reserve Officer is required to work a minimum of one special event per calendar year (i.e. 4th of July, Day of the Bear, etc.)
3. Level 4 Reserve officers meet and maintain the same TCOLE and Department training requirements including firearm qualification and physical fitness requirement as for our Police Officers.
4. Level 2 and 3 Reserve officers meet TCOLE mandated training requirements including firearm qualification. They must also meet Department training requirements for their assignment and have the physical ability to perform their assigned duties within their Level of Service.
5. Reserve officers may be called to service in times of an emergency or for critical events requiring staffing support.
6. The failure of a Reserve officer to comply with any part of this order can result in the removal of the person from the Reserve Program.

C. Management of Reserve Officer Program

1. The Reserve Officer Unit is assigned to Community Outreach
2. The use of Reserve Officers can include, but is not limited to the following:
 - a. Assist with any operational Unit or Section within the Department
 - b. Assist with special functions (parades, crowd control, etc).
 - c. Perform other duties as needed by the Department
3. Waco Reserve Officers may carry out the duties of a Waco Police Officer only during those times in which they are engaged in an assignment for the Waco Police Department. Reserve Officer may not wear any portion of the Waco Police Uniform or carry a weapon (unless exempt under Penal Code Section 46.15, Non applicability) except in the performance of their official duties for the Waco Police Department. Assigned duties is defines as the time they are traveling to and from an assignment and the time they are actively working a police task as part of the Department's Reserve Program.
4. The Department furnishes the Reserve Officer with a uniform, duty gear including a firearm, bullet resistant vest and reflective safety vest for traffic direction. Retiring Waco Police Officers may keep their issued firearm, duty gear, and bullet resistant vest as long as they remain in the Reserve program.
5. Reserve Officers observe and obey federal and state laws, city ordinances, City of Waco and Department orders, rules and regulations.
6. Reserve Officers are appointed by the Chief for 1 year with an annual review of performance and the Reserve Officer's physical capability to continue to serve as a Reserve prior to another one-year appointment. The new appointment specifies the Level of Service at the time of the appointment.
 - a. On the anniversary of the Reserve Officer's appointment, their status in the program is

- reviewed and evaluated by the supervisor administrating the program.
- b. The supervisor makes a recommendation, through the chain of command, to the Chief of Police whether the Reserve Officer should continue in the program.
 - c. The Chief of Police makes the final decision as to the status of any Reserve Officer.
7. Throughout their one-year appointment, Reserve Officers may be moved to any Level of Service depending on their level of job performance and/or their ability to physically perform the duties to which they are assigned.

End of General Order 41.03



Waco Police Department General Order

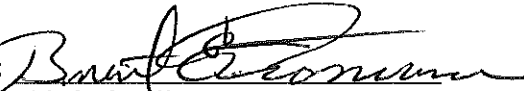


**Title: OVERTIME AND OUTSIDE
EMPLOYMENT LISTS**

Number: 42.01 Effective: 12/31/09

Cancels: 42.01 Issued: 11/30/08

Approved:


Chief of Police

42.01.01 POLICY

The Department maintains a system that attempts to fairly distribute overtime and outside employment requests to officers desiring to work extra hours.

42.01.02 DEFINITIONS

- A. Overtime Assignment – any assignment or job in which the officer working is paid directly by the Police Department and/or the City of Waco.
- B. Off-Duty Job – any other assignment or job which does not meet the definition described above.

42.01.03 PROCEDURES

A. Eligibility Lists

1. Four separate eligibility lists, by seniority, are maintained for Airport Security, Park Patrol, other overtime and off-duty employment arranged through the Patrol Office.
2. Overtime and Off-Duty Request Forms are sent out each year to commissioned personnel by the Overtime Coordinator. Personnel indicate if they do or do not want to work extra employment by completing and returning the forms to the Overtime Coordinator.
3. All sworn officers who have completed FTI training are eligible for law enforcement-related outside employment.
4. Officers may request placement onto or removal from an eligibility list by sending an e-mail or message form to the Overtime Coordinator.
5. Officers who remove their names from an eligibility list cannot be placed back on that list until the beginning of the next calendar year or at the time the grant/contract is renewed.
6. Eligibility lists are zeroed out every January 1st.

42.01.04 OVERTIME COORDINATOR

- A. The Patrol Office Sergeant serves as the Overtime Coordinator, scheduling overtime and off-duty jobs arranged through the Patrol Office.

B. Some of the Coordinator's duties are to:

1. assign/distribute extra employment by contacting personnel from the appropriate eligibility list;
2. make assignments as far in advance as reasonably possible;
3. determine the number of officers needed for assignments, considering the type of function, number of people, age group, if alcohol will be served, the location or any other circumstances the Coordinator feels could affect the number of officers needed to work an assignment or job;
4. notify officers of assignments or jobs as they become available using the approved notification procedure;
5. keep accurate monthly schedules and records involving extra employment scheduled through the Patrol Office, including any schedule changes or employees swaps of:
 - a. Park Patrol shifts;
 - b. Airport Security shifts
 - c. Other overtime assignments; and
 - d. Off-duty jobs.
6. keep a copy of scheduled overtime assignments or off-duty jobs available for other personnel to readily access if the Coordinator is gone;
7. ensure records of completed assignments are kept on a long-term basis and in accordance with record retention laws.

42.01.05 ASSIGNMENT PROCEDURES**A. Overtime Assignments**

1. The Coordinator contacts officers on an eligibility list by calling the officers with the fewest number of overtime hours to see if they want to work an overtime assignment.
2. The number of overtime hours worked by each officer on an eligibility list is tracked and added together by the Coordinator throughout the year to determine the sequence in which officers are contacted to work.

B. Off-Duty Jobs

1. The Coordinator contacts officers on an eligibility list by calling the officers who have worked the fewest number of off-duty jobs to see if they want to work an off-duty job.
2. The number of off-duty jobs worked by each officer on an eligibility list is tracked and added together by the Coordinator throughout the year to determine the sequence in which officers are contacted to work.

C. Tabulation of Hours

1. Except as noted in subsection C.2. below, officers are charged with time worked on any assignment or job if they have worked it, declined to work it or once assigned, they gave the job or assignment away to another officer.
2. Officers are not charged for overtime hours or jobs worked if:
 - a. the officer is on scheduled vacation at the same time as the extra employment;
 - b. the overtime assignment or off-duty job would be in direct conflict with an on-duty assignment to be worked by the contacted officer; or
 - c. the overtime assignment or off-duty job would adversely affect the contacted officer's performance in an assignment on the same date or an adjoining date as the extra employment.

42.01.06 OFFICER RESPONSIBILITIES**A. Officers assigned to work an assignment or job are responsible to:**

1. work the overtime assignment or off-duty job as scheduled;
2. fulfill all of the duties to be performed during an assignment or job;
3. get another officer to work in their place if the scheduled officer cannot work due to illness or an emergency;
4. arrange for another officer to work if the scheduled officer cannot work it. The originally scheduled officer must notify the Overtime Coordinator in writing prior to an assignment or job that a change in personnel is being requested. This change is considered official once it has been approved by the Overtime Coordinator. If the Coordinator is unavailable, an Acting Patrol Commander or higher authority may approve an assignment or job change;
5. provide feedback to the Coordinator about an assignment or job if safety, staffing or other problems arose during the assignment or job.

42.01.07 OTHER GUIDELINES

- A. Officers may be required to attend a mandatory training session before being allowed to work certain assignments (Airport Security, Park Patrol, S.T.E.P., etc.).
- B. Except as noted here and in 42.01.07, C. below, supervisors are not allowed to work overtime assignments normally worked by officers unless:
 1. not enough officers want to work an assignment that must be filled;
 2. supervisory oversight is needed for officers who are working an overtime assignment; or
 3. approval has been given by an Acting Commander or higher authority for a supervisor to work an overtime assignment instead of an officer.

- C. For overtime assignments requiring more than three (3) officers, the coordinator may attempt to fill the fourth position with a supervisor to coordinate the assignment. If a supervisor is not available to work, a fourth officer is selected. The senior officer coordinates the assignment.
- D. Supervisors may be assigned to work off-duty, non-overtime jobs in the same manner as officers.
- E. When an officer is late or fails to report for an overtime assignment, appropriate action is initiated by the employee's immediate supervisor.
- F. Citizens contacting the Department to hire officers to work outside employment jobs are referred to the Overtime Coordinator. This policy does not prevent citizens from contacting a specific officer to work outside employment or to arrange for other officers to work an outside employment.
- G. Citizens and/or businesses are told what the minimum rate of pay is for off-duty jobs and that the transaction is a private matter between the officer(s) and the requesting person.
- H. Short notice assignments that must be filled within 24 hours may be assigned without using an eligibility list.
- I. Officers do not schedule themselves, nor are they allowed to work for the Department more than 18 hours in any 24-hour period.
- J. Supervisors are authorized to assign overtime when necessary to accomplish a police purpose or assist in the delivery of services to the public (high call load time periods, parades, dignitary protection, major incidents, football game traffic, etc.) Proper supervision is also scheduled as needed.
- K. Officers working Selective Traffic Enforcement Program (S.T.E.P.), Park Patrol and certain grants may only be paid overtime compensation.
- L. An officer may be removed from an eligibility list for misconduct relating to an overtime or off-duty assignment (being late, absenteeism, failure to fulfill duties, etc.).
- M. Minimum Staffing and Mental Health Consumer transports are considered short-notice needs and the tracking and notification process contained in this policy does not apply in those situations.

42.01.08 FILLING VACANCIES

- A. The Coordinator is sometimes unable to fill Airport Security shifts, Park Patrol shifts or other mandatory overtime assignments using the normal notification procedure. If the normal procedure has been tried and a shift remains vacant, the Coordinator offers the vacant shift(s) via e-mail at least 10 days prior to the date of the shift as follows:
 - 1. Airport Security – the vacancy is opened to Supervisors who have received Airport Security training.
 - 2. Park Patrol – the vacancy is first opened to other Grade 1 Officers who did not sign up for Park Patrol. Once that offering has been made and a reasonable amount of time has elapsed, vacant shift(s) are then offered to all supervisors.

- B. If a mandatory overtime shift remains open after following the steps in the preceding section, the Overtime Coordinator uses the following procedure to fill any remaining vacancy:
1. All officers who signed up to work Airport Security, Park Patrol or other mandatory overtime assignments will have their name placed into the appropriate pool;
 2. The Overtime Coordinator draws a name from the appropriate pool. After each name is drawn, the Overtime Coordinator checks to see if the selected officer has scheduled vacation (according to the officer's official vacation schedule). If circumstances as described in 42.01.05, C.2. are present, the selected officer's name is returned to the pool;
 3. If the officer is not on vacation and has no regular duty conflict, the selected officer is required to work the vacant shift. If multiple vacant shifts are open, the officer is assigned to work the earliest open shift, by date. Officers are notified that their name has been drawn;
 4. This name-drawing process continues until all vacant shifts are filled.
- C. Officers are required to work the shift assigned to them. The assigned officer may still trade the shift or obtain someone to work the shift in their place if they follow the procedure and obtain approval as described in 42.01.06, A.4. above.
- D. The name(s) of the officer(s) who are drawn and who work an assignment as a result of this procedure have their names removed from the respective pool for the remainder of the calendar year.

End of General Order 42.01

OVERTIME AND OFF-DUTY EMPLOYEMNT REQUEST FORM

1. I request to be placed **on** the following eligibility lists:

_____ Airport

_____ Park Patrol

_____ Other overtime (S.T.E.P., etc.)

_____ Off-duty jobs

2. I request to be **removed** from the following eligibility lists:

_____ Airport

_____ Park Patrol

_____ Other overtime (S.T.E.P., etc.)

_____ Off-duty jobs

3. I need to be trained on:

_____ Airport Security Procedures

_____ Park Patrol Procedures

_____ Other overtime (S.T.E.P., etc.)

Officer's Signature & Badge Number

Date

Overtime Coordinator's Signature

Date



Waco Police Department General Order



Title: COMP TIME AND OVERTIME

Number: 42.03 Effective: 10/01/2015

Cancels: 42.03 Issued: 10/20/2011

Approved:


Chief of Police

42.03.01 POLICY

Work hours are adjusted when possible to avoid overtime or compensatory time. Department supervisors make all reasonable efforts to keep employees within their 40-hour workweek. Supervisors monitor overtime use to ensure compliance with Department policies.

42.03.02 DEFINITIONS

Overtime – any hours worked by non-exempt or Civil Service employees in excess of 40 hours per calendar week. Overtime is not used as compensation for other expenses for which an employee may or may not be entitled for reimbursement.

Overtime Pay – compensation paid at the rate of 1 ½ times the FLSA regular rate of pay.

Hours Worked – per guidelines in this policy, those hours an employee actually performs any duties for the benefit of the City. Hours worked over 40-hours determine a non-exempt or Civil Service employee's overtime pay for work that occurred during a calendar week.

Compensatory Time – hours earned in one calendar week that are taken in another calendar week.

Grant Overtime – hours that are worked under a contract or other agreement specifically established for overtime payment reimbursed by an outside entity (i.e. S.T.E.P., Park Patrol, etc.). All provisions of this policy apply to grant overtime unless specifically stated otherwise.

42.03.03 GENERAL REQUIREMENTS

- A. Employees will not take time off within the same workweek for the purpose of creating overtime that would not have otherwise been paid.
- B. Unless otherwise stated in this order or the Meet and Confer Contract, employees assigned to jobs where work hours can be adjusted without disrupting the delivery of necessary police services will adjust hours in order to minimize overtime costs.
- C. If sick time is taken during the same calendar week, overtime compensation is hour for hour at the regular rate of pay during that week equal to the number of sick hours used. Overtime hours worked in excess of the number of sick hours in the same calendar week are paid at the overtime rate.

- D. Except as provided in this policy, employees are authorized overtime only for actual time worked even though that time may be less than the scheduled or allotted time.
- E. Supervisors schedule or approve in advance any overtime hours worked before or after the employee's shift. Exception: late calls, call outs or the need to complete any assignment.
- F. The City reserves the right to pay an employee overtime pay for each hour worked in excess of 40 hours during a calendar week.
- G. If an employee calls in sick for the regular assignment, the employee is required to use accrued sick time for those hours. Hours worked in other assignments such as Airport, PID, minimum staffing, etc. may not be used in lieu of accrued sick time to attain 40-hours in a work week.

42.03.04 APPLICATION OF MEET AND CONFER CONTRACT FOR COMMISSIONED OFFICERS/SUPERVISORS

A. Per the Meet and Confer Contract, officers/supervisors receive:

1. Except for A. 2, compensation of 3 hours minimum or actual time worked over 3 hours (and officer's choice of overtime or comp. time) for any time worked for:
 - a. Court or meetings related to court when the time is outside the officer's scheduled duty time (days off, off shift, vacation, etc.)
 - b. Called back for work, called in for a mandatory meeting, called in for mandatory training and any other time when the officer is required to work and the time is outside the officer's scheduled work time.
 - c. Except as in 42.03.04, A.3. City generated and volunteer extra duty assignments (i.e. Baylor parade/escort).
 - d. Officers also have the option of adjusting the time listed above as allowed by the Officer's supervisor.
2. Compensation for actual time worked (Officer's choice of overtime or comp. time) on work which extends before and/or past the Officer's scheduled duty time and without a break. Officers also have the option of adjusting this time as allowed by the Officer's supervisor.
3. Compensation for actual time worked (Officer's choice of overtime or comp. time) for the Association President, members of the Association Board, and members of the Association's negotiating team for duties related to managing the meet and Confer Agreement. To the extent possible, these duties should be performed during scheduled duty hours as long as the time is approved by the Officer's supervisor and does not interfere with the Officer's regular duty assignment. Officers also have the option of adjusting this time as allowed by the Officer's supervisor.
4. Compensation for grant projects will be paid per grant requirements.

B. Exceptions for scheduled Major Events-in all cases, Officer's schedules may be adjusted as necessary to work scheduled major events when the offer of overtime and comp. time will not provide a sufficient number of officers to staff the event.

42.03.05 GRANT OVERTIME

- A. Employees working grant overtime are required to accept overtime pay.
- B. Any non-grant work performed during a grant-funded program should be adjusted as soon as possible after the work is performed so the costs charged to the regular budget are minimized.

42.03.06 OVERTIME INCREMENTS/REQUEST

- A. Overtime is granted in 15-minute increments. Actual time worked is rounded off to the nearest $\frac{1}{4}$ hour. (i.e. 38 minutes worked equals $\frac{3}{4}$ hour overtime; 1 hour 22 minutes equals 1- $\frac{1}{4}$ hours, etc.)
- B. Compensation for Telephone Calls
 - 1. Compensation is authorized for business related off-duty telephone calls made or received by non-exempt or Civil Service employees that:
 - a. Last more than 7 minutes in length; or
 - b. Occur repeatedly over a short period of time if the aggregate length of those calls exceeds 7 minutes (the length of time of multiple calls is added together to determine the amount of compensable time).
 - 2. Compensation is paid for telephone calls in 15-minute increments.

42.03.07 COMPENSATORY TIME

- A. The purpose of this subsection is to establish a compensatory time usage policy for commissioned personnel that:
 - 1. Complies with the Fair Labor Standards Act (FLSA) by allowing officers to agree to receive compensatory time in lieu of overtime pay for hours worked that qualify for compensatory time;
 - 2. Affords officers the opportunity to take compensatory time within a reasonable period of time from the date an officer requests to use such time;
 - 3. Ensures that the Department has sufficient officers on duty to provide the required levels of service within budget allocations, ensuring that the public is protected while minimizing any disruption of Department operations.
- B. Accumulation of Compensatory time
 - 1. Compensatory time is earned at the rate of 1 $\frac{1}{2}$ hours for each hour worked.
 - 2. Earning compensatory time as straight time is not allowed.
 - 3. As a result of the 2011 Meet and Confer Contract discussion and agreement, officers cannot accumulate more than 50 hours of compensatory time.
 - 4. Compensatory time cannot be loaned to another officer.

5. When an officer terminates their employment with the Department, they are paid for all unused compensatory time.
- C. To take earned compensatory time, a request for approved absence/leave must first be approved by the officer's supervisor. Supervisors must consider staffing and work delivery needs before authorizing an officer to take compensatory time.
1. Each officer is responsible to ensure he or she has adequate time to cover any requested time off.
 2. Each Division and/or Section maintains a roster that lists all of the officers who are scheduled to be off, for whatever reason, on a given workday.
 3. Requests for use of accrued compensatory time will be granted for those requests that a supervisor approved first (earliest time/date).
 4. If an officer signs a roster and is otherwise eligible under this policy to take accrued compensatory time on a requested date, the department may delay approval of or disapprove the officer taking accrued compensatory time on the requested date(s) if the officer's absence will unduly disrupt the Department's operations or delivery of services.
 5. For purposes of this policy, "**unduly disrupt**" is defined as the inability of a supervisor to fill a comp time vacancy if the vacancy needs to be filled to meet minimum staffing levels to ensure efficient operations or delivery of services.
- D. Entering Compensatory Time in Executime
1. When an officer works overtime and wants to accrue comp time, the actual time is entered on the appropriate line to the nearest $\frac{1}{4}$, $\frac{1}{2}$ or one hour. Officers do not multiply by time and a half.
 2. It is the responsibility of the individual officer to document comp accruals appropriately in their Executime. If the number of hours being accrued on the timesheet causes their balance to exceed 50 hours, the number of hours over will instead be paid as overtime.

42.03.08 EXECUTIVE STAFF REVIEW

- A. Employees who feel they have been treated unfairly in regard to an overtime or compensatory time issue may request that the Executive Staff review the circumstances surrounding the issue to ensure that policy has been applied consistently, fairly and legally. Employees' requests must be submitted within 7 working days from the date the problem occurred.
- B. Requests for the Executive Staff review are forwarded through the employee's Chief of Command to their division Assistant Chief. The Assistant Chief presents the request to the Executive Staff. The Assistant Chief prepares the reply to the employee and notifies appropriate personnel in the Division.

End of General Order 42.03



Waco Police Department General Order



Title: NARCAN (NALOXONE) USE

Number: 42.08

Effective: 10/01/17

Issued: 10/01/17

Approved:

Chief of Police

42.08.01 POLICY

All designated officers/personnel of the Waco Police Department are required to be trained in the use of naloxone by authorized training personnel. Guidelines and regulations to be used by Waco Police Department employees have been established governing utilization of naloxone (Narcan) with the objective to treat injuries and reduce fatalities from opiate overdoses.

42.08.02 PROCEDURES

A. Training:

1. All designated officers/civilians will receive initial training that will include, at a minimum: An overview of the Texas Health and Safety Codes 483.101 through 483.106 and the Texas Admin. Code 295.14 (permitting law enforcement use of naloxone), patient assessment (e.g., signs/symptoms of overdose), universal precautions, rescue breathing, seeking medical attention, and the use of intra-nasal and/or intra-muscular naloxone. Upon completion of training, officers will have their training documented by the training division.

B. Continuing Education:

1. Officers with the Waco Police Department will receive ongoing training during their yearly continuing education by authorized training personnel.

C. Naloxone Deployment:

1. The Waco Police Department will deploy its naloxone kits in the following primary locations and to the following employees:
 - a. Patrol Equipment Room
 - b. Sworn Officers
 - c. Crime Scene Personnel
 - d. Property Room
 - e. Victim Services
 - f. Front Desk

D. Naloxone Use:

1. When deploying the naloxone kit officers will:
 - a. maintain universal precautions;
 - b. perform patient assessment;
 - c. determine unresponsiveness, absence of breathing and/or a pulse; and
 - d. update the dispatcher that the patient has possibly overdosed. The dispatcher will then update the Fire Department and ambulance service if not already done to arrange transport to Emergency Department. Officers shall follow the protocol as outlined in the naloxone training in accordance with the Waco Police Department guidelines.

E. Maintenance/Replacement:

1. First Line Maintenance:
 - a. An inspection of the naloxone kit shall be the responsibility of the personnel assigned the equipment and will be done each shift.
 - b. Missing or damaged naloxone kits will be reported to the department naloxone coordinator.
 - c. When necessary kits will be replaced by the department naloxone coordinator.

F. Storage:

1. Narcan is to be stored at room temperature. Kits are carried on employee's person and not stored in cars.

G. Handling Fentanyl and other Dangerous Drugs:

1. The Waco Police Department recognizes that employees may come in contact with Fentanyl and other dangerous drugs during the course of their day to day work. It is recommended that officers/civilians who conduct any type of search or inventory, or field testing of suspected narcotics or handling suspected narcotics in the property room, and those who believe they may come in contact with dangerous drugs, use the provided PPE kits. These kits will consist of Nitrate Gloves, N-95 mask, paper coveralls, and Sturdy eye protection.

H. Guidelines for testing, bagging, and storing:

It is recommended that police do not attempt to test any substance that may contain Fentanyl, but rather collect it and transport it to the property room. If the officer does decide to test the substance believed to be Fentanyl, a Nartech Fentanyl test kit should be used along with recommended PPE kit. In order to collect Fentanyl a PPE kit should be used as stated above and the substance collected should be double bagged with the outer bag tagged as possibly containing Fentanyl.

I. Documentation/Naloxone report:

1. Officers utilizing Narcan will submit a report detailing the nature of the incident, the care the patient received and the fact that the naloxone was deployed. The report will be forwarded to the department naloxone coordinator. These records must be completed for statistical value of the naloxone program. The document shall be retrievable via hardcopy and electronically.

End of General Order 42.08

Waco Police Department NARCAN Report

Incident # _____ Date ____/____/____ Time of Incident _____

Officer Name & ID _____

Location _____

Gender of Subject _____ Age of Subject _____

Signs of Overdose present: (check all that apply) ☐ Unresponsive ☐
Breathing Slowly ☐ Not Breathing ☐ Blue Lips ☐ Slow Pulse ☐ No Pulse ☐
Other _____

Overdosed on what drugs? (check all that apply) ☐ Heroin ☐ Alcohol ☐
Methadone ☐ Benzos/Barbiturates ☐ Cocaine/crack ☐ Suboxone ☐ Any
other opioid ☐ Unknown ☐
Other _____

Amount/doses of naloxone used _____

How long to take effect? ☐ Less than 1 min. ☐ 1-3 min. ☐ 3-5 min. ☐ <5
min. ☐ Don't know

Subjects Response ☐ Responsive & Alert ☐ Responsive & Sedated ☐ No
response

Subjects post-naloxone withdrawal symptoms: (check all that apply) ☐ None
☐ Vomiting
☐ Irritable/angry ☐ Combative ☐ Nauseous ☐ Muscle Aches ☐ Runny
Nose ☐ Other _____

Did the person live? ☐ Yes ☐ No

Other Actions Taken: (check all that apply) ☐ Sternal rub ☐ AED ☐

Recovery position

☐ Bystander naloxone ☐ Rescue breathing ☐ Oxygen ☐ Chest compressions
☐ Other _____

Disposition:

☐ Transferred to Hospital Name of Ambulance service _____

Notes/Comments _____

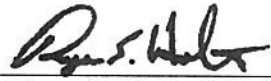


Waco Police Department General Order



Title: BALLISTIC BODY ARMOR POLICY **Number:** 42.09 **Effective:** 09/01/17

Cancels: 42.09 **Issued:** 09/01/12

Approved: 
Ryan E. Holt, Chief of Police

42.09.01 POLICY

The Department recognizes that the threat level associated with law enforcement activities has increased significantly over the years. The Department recognizes the fact that protective ballistic body armor, to include rifle-resistant body armor, has proven to be effective in reducing or preventing injuries to officers. The Department is obligated to provide protective ballistic armor to all commissioned officers who are required to wear it. Therefore, this policy requires that ballistic vests containing protective body armor are issued and are worn by officers. This policy also outlines mandatory procedures to be followed with regard to the fitting, inspection, usage, maintenance, storage, and replacement of this important equipment.

42.09.02 PROCEDURES

A. Wearing of the protective ballistic vest/body armor

1. All personnel working patrol, or field operations, and field investigations in uniform are required to wear protective ballistic body armor while on duty. When rifle plate protection armor has been issued to the individual officer, it is to be kept accessible to the officer at all times during their work shift for immediate use.
2. All police related outside employment shall be worked in full uniform, the same as what would be worn on a regular patrol shift, to include protective ballistic body armor unless prior written approval by the Chief is obtained.
3. All plain clothes officers are required to wear protective ballistic body armor when serving felony arrest or search warrants.
4. All officers who have been issued protective ballistic body armor are to keep this equipment readily available for use in an acceptable manner.
5. Officers with a medical condition that would prohibit wearing of protective ballistic body armor are required to provide Employee Health Services (EHS), with a letter from their physician explaining the reason and release date from such a medical restriction. EHS will forward documentation to the Chief, by chain of command.

B. Deployment and Allocation of Protective Ballistic Body Armor

1. A certified fitter trained by the body armor manufacturer will measure for armor panels to insure proper fit. Police Planning and Budget Section will issue vests and plates to officers that meet or exceed the standards prescribed by the National Institute of Justice (NIJ). They will maintain records to insure that vests are replaced in a time frame that is in agreement with the manufacturer's recommendations regarding damage or service life.
2. The Training Unit, as well as instructional material included with each new issue, will provide instruction on the proper care, inspection, use, storage, maintenance, and replacement of body armor and related equipment.

C. Utilization of Protective Ballistic Body Armor

1. Protective ballistic body armor must be worn as per the manufacturers recommendations in the instructional literature provided with each vest, as well as instructions from the Training Unit. It is the responsibility of the officer to read, understand, and follow these guidelines.
2. Supervisors are responsible to see that users are compliant with these directives through regular inspection
3. External vest carriers may be used in conjunction with protective body armor under the following conditions:
 - a. only carriers approved by the Chief or their designee may be worn
 - b. the color of the carrier must match the duty uniform material.
 - c. carriers must be in good condition without fading or damage
 - d. carriers are to be well fitted and clean.
 - e. only allowed for use in field duty, and may not be worn for formal proceedings such as court, ceremonies, and special events.
 - f. the mandatory wear policy, as described in Section A, must be followed
 - g. badge and nameplate must be worn on the carrier at all times
 - h. a department issued uniform shirt must be worn under the carrier at all times
 - i. during a work shift, a carrier may only be removed in nonpublic areas of the police department, or inside a police substation.
4. Protective ballistic body armor must be protected from heat damage at all times, kept in protective carriers when not in use, and is never to be stored in areas subject to extreme heat such as patrol vehicles, direct sunlight, saunas etc. so as to minimize the possibility of heat damage to the ballistic plates.

D. Replacement of Protective Ballistic Body Armor

1. The Planning and Budget Section replaces protective ballistic body armor damaged in the course of duty according to Department policy. The officer's immediate supervisor approves the replacement and forwards the request through the chain of command, to the Planning and Budget Section, explaining the circumstances and related case number if applicable.
2. Notice will be sent to officer, by the Planning and Budget Section, four months prior to the expiration date shown on the body armor plates.
3. It is the responsibility of the officer to respond and be fitted for a replacement vest whether damaged or nearing end of service life.

4. Upon receipt of the new protective ballistic body armor, the officer will immediately report any fitment issues so that they may be addressed; insuring the safety of the officer
5. A temporary set of protective ballistic body armor will be made available to officers in time for their next tour of duty.

End of General Order 42.09



Waco Police Department General Order



**Title: INCLEMENT WEATHER
WORK POLICY**

Number: 42.10 Effective: 01/01/2016

Cancels: 42.10 Issued: 05/28/1997

Approved:

Brent E. Womack
Chief of Police

42.10.01 POLICY

Department employees work as scheduled during inclement weather. Employees not reporting for work may change the time loss to earned vacation time, earned compensatory time or absent without pay.

42.10.02 PROCEDURES

A. Employees Reporting To Work

1. Receive pay for entire scheduled day if permitted to go home because of deteriorating weather Conditions.
2. Supervisors are responsible for work performance and consider the work load and Department policies and procedures before recommending that employees be relieved from duty.
3. Chief of Police or his designee makes decision to relieve employees from duty.

B. Transport of Persons

1. Employees who do not fill positions which are essential to City operations are not transported in City vehicles for the purpose of reporting to work.
2. Selected employees who fill positions that have been determined essential to City operations may be transported to their work assignments by City vehicles, i.e., dispatchers, patrol officers, transcriptionists, and others as determined by the Division Assistant Chief or On Duty Commander.
3. Employees follow procedures outlined in General Order on Department vehicles.

End of General Order 42.10



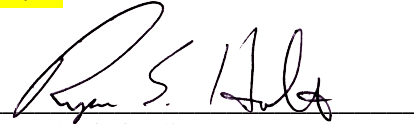
Waco Police Department General Order



**Title: UNLAWFUL PERSONAL
CONTACT/HARASSMENT
TPCA 2.11**

Number: 42.17 Effective: 06/22/2018

Approved:


Chief of Police

42.17.01 POLICY

The Department maintains that all employees have the right to work in an environment free of all forms of harassment. The Department does not condone and will not tolerate any harassment, nor does it tolerate reprisals against an employee who makes a harassment complaint or who witnesses, assists, testifies, or participates in the investigation of such a complaint.

42.17.02 PROCEDURES

A. Prohibited Activity

1. Employees will not explicitly or implicitly:
 - a. Ridicule, mock, deride, or belittle any person or group in a manner that might be perceived as harassment.
 - b. Make offensive or derogatory comments, including writings, based on race, color, gender, religion, natural origin, personal appearance, sexual orientation, or differential abilities either directly or indirectly to another person or group.
2. Supervisors will divide work assignments in a manner which is fair to subordinate employees and not use the distribution of work as a method of harassment.
3. No employee will establish an inappropriate social relationship with a known victim, witness, suspect, or defendant of an agency case while the case is being investigated or persecuted.

B. Employee Responsibilities

1. Each employee is responsible for the prevention of harassment by:
 - a. Refraining from participation in or encouragement of actions that may be perceived as harassment;
 - b. Reporting acts of harassment to a supervisor; and/or
 - c. Assisting any employee who confides that he is being harassed by encouraging him or her to report it to a supervisor.

2. Supervisors receiving a harassment complaint must take corrective action.
3. Each supervisor prevents acts of harassment by:
 - a. Monitoring the work environment daily.
 - b. Counseling employees on prohibited behavior
 - c. Stopping any observed acts that may be considered harassment; and/or
 - d. Limiting work contact between a complainant and the employee who complained while a complaint of harassment is pending.

C. Complaint Procedures

1. All complaints of harassment are handled according to Department procedures on Complaints/Grievances/internal Investigations.

End of General Order 42.17



Waco Police Department General Order



Title: REVIEWING OF PAYROLL RECORDS

Number: 42.18 Effective: 09/20/2012

Cancels: 42.18 Issued: 11/09/1992

Approved: Brent E. Roman
Chief of Police

42.18.01 POLICY

The Department honors Open Records Act requests on the reviewing of payroll records, but maintains strict control and integrity of all payroll records in order to prevent loss and unauthorized alterations.

42.18.02 PROCEDURES

A. Instructions for reviewing timesheets/ payroll records

1. Supervisors

- a. An employee's supervisors and the PSAC Supervisor may review timesheets in the Payroll Office upon completing the Payroll Review Log.
- b. Timesheets may be removed from the Payroll Office to a designated work area only after a copy has been made and retained in the Payroll Office.
- c. Supervisors will initial and date any alteration/change made on the timesheet

2. Employees

- a. Employees may review their own timesheet
- b. A review of employees' timesheets must not interrupt priority needs of the Payroll Unit

B. All request to view and/or copy employee payroll records other than as specified above will be processed as an open records request.

C. The Payroll Clerk may make copies of the employees' own timesheets for employees.

42.18.03 RESPONSIBILITIES

A. The Payroll Clerk ensures that all payroll records are secure.

B. In absence of the Payroll Clerk, the Planning Unit Program Manager may pull needed records for supervisors or employees.

End of General Order 42.18

PAYROLL REVIEW LOG

[illegible]



Waco Police Department General Order



Title: **EMPLOYEE WELLNESS** Number: **42.19** Effective: **12/31/09**

Cancels: 42.19 Issued: 03/22/99

Approved: _____

Chief of Police

42.19.01 POLICY

The Department recognizes employee health and well-being is important to the employees, their families, co-workers, the public and the Department. Employees are encouraged to be physically fit. Participation in the Physical Wellness Program is done on a voluntary basis.

42.19.02 PROCEDURES

A. Program Responsibility

1. The Physical Wellness Program is administered through the Training Unit.
2. The officer responsible for the program is certified as a Law Enforcement Fitness Specialist (LEFS).
3. Officers or civilians who have undergone specialized training conduct the testing for the Physical Wellness Program.

B. Preliminary Assessments

1. Medical Assessment Screening:

- a. In order to participate in the program, employees must first go to Employee Health for evaluation. The medical screening is a health risk assessment of each employee and includes but is not limited to:
 - (1.) Medical history questionnaire that combines aspects of health history (past/present) and health hazard appraisal
 - (2.) Physical Readiness Questionnaire
 - (3.) Informed Consent form for any health related exercise test
 - (4.) Resting Heart Rate
 - (5.) Resting Blood Pressure
 - (6.) Blood Analysis-Optional

- b. An Employee Health Nurse reviews the information and determines if the employee is released/approved to report to a LEFS or other trained personnel for screening and testing.
- c. A written release is sent to the LEFS prior to any screening or testing by the LEFS or other trained personnel. The only information sent to the LEFS from the Employee Health Nurse is the written release for the employee to participate in the Wellness Program and the resting heart rate of the employee. The heart rate is required for the 3-Minute Step Test, which is a test used during the screening portion of the Wellness Testing. All other health-related information is kept confidential.

2. The 3-Minute Step Test

- a. The 3-Minute Step Test screening is conducted by a LEFS or other trained personnel to determine an individual's ability to participate in a physical fitness assessment. The 3-Minute Step Test measures the heart rate during the recovery period. The step test is invalid for individuals taking beta block medication (or any other medication affecting heart rate) and shall not be administered to such individuals. Employees on beta block medication or any other medication affecting heart rate shall be referred to their physician for approval/disapproval. Any expense for the medical clearance is the responsibility of the employee.
- b. LEFS documents employee's heart rate received from the Employee Health Nurse. Employee steps up and down on a 12" step at 24 cycles (up-up-down-down) a minute (Metronome setting of 96) for 3 minutes.
- c. Immediately after the three minutes of stepping, the employee sits down. A 60-second heart rate is taken starting 5 seconds after the completion of the Step Test. The LEFS documents that heart rate and determines if the employee can continue with the physical fitness assessment.
- d. If the employee cannot finish the test or scores at the very poor level, then the employee must obtain a medical clearance before any further testing. Any expense for the medical clearance is the responsibility of the employee.
- e. If a medical concern is found in a employee's medical screening, the employee is referred to Employee Health who decides if the employee is able to participate in a Physical Fitness Program. If necessary, the employee may be required to obtain a medical release from an approved physician before being allowed to participate in the program. Any expense for the medical clearance is the responsibility of the employee.

3. Physical Assessment

- a. Employees who are eligible by medical screening or medical exam clearance are allowed to participate in the wellness program after successfully completing the Physical Assessment.
- b. The Physical Assessment consists of a series of exercises adopted by the Department that gives a reliable estimate of an employee's present capacity to perform neuro-muscular acts that either singularly or in combination demand endurance, speed, flexibility and strength.
- c. Based upon the medical screening assessment, a counseling process is made available to employees desiring such a process. The counseling process is coordinated with Training Unit personnel. A fitness program consists of:

- (1). Defined individualized goals for the employee
- (2). An individualized exercise program and nutrition information for the employee
- (3). A starter program that allows employees to progress at the proper rate after their medical screening assessment
- (4). Education of the employee on safe exercise techniques

4. Follow-up Assessments

- a. A LEFS is responsible to evaluate each employee on the wellness program annually in order to determine whether the employee's overall health or wellness has improved.
- b. If an employee participating in the wellness program, for any reason, is unable to work out for an extended period of time of 6 months, the employee must contact the Employee Health Nurse and the LEFS for medical re-screening and assessment before re-starting their wellness program.
- c. Each employee participating in the Wellness Program must report to Employee Health on an annual basis for a blood pressure and heart rate evaluation before being allowed to continue their individualized on-duty wellness program for successive years. The primary LEFS shall forward a list of names to Employee Health of employees who need to be re-screened prior to the 1-year anniversary after beginning the Department's wellness program.

5. Miscellaneous Guidelines

- a. Participation in the wellness program is a privilege, not a right. Employees may not begin working out on-duty until they have been officially accepted into the program.
- b. Workouts must be done with supervisor approval and shall not take priority over the performance of the employee's job duties.
- c. Unless otherwise approved by the Chief of Police, wellness workouts must be done at a Department facility.
- d. Employees are allowed a maximum of 3 hours per calendar week for wellness (this includes changing, showering, etc.). Wellness work hours do not rollover or accumulate from one week to another.
- e. Employees must sign in/out on the "Wellness On-Duty Gym Log" located in the Police Gym to document each time they work out as part of the WPD on-duty wellness program. Gym log sheets are filed and maintained by the Training Unit.
- f. Employees are expected to use their time performing wellness-related activities. Anyone found abusing their workout time is subject to removal from the wellness program.
- g. Employees on the wellness program must be trained on gym equipment before being allowed to begin their workout program. This is done by the LEFS or other trained personnel. Training on the gym equipment is documented by the LEFS.

- h. Anyone on Restricted Duty for injury or illness must have doctor's approval prior to participating in the wellness program. The employee's restrictions as they relate to participation in the wellness program must be sufficiently described.
 - (1.) Employees shall not violate restrictions placed on the employee by a doctor or EHS personnel.
 - (2.) An employee's participation in the wellness program may be terminated if it is the opinion of the LEFS and the Employee Health Nurse that the employee's participation could adversely affect or worsen an employee's injury or illness,
- i. Employees participating in the wellness program should be careful to avoid injury (i.e. don't lift too much weight, don't trip over obstacles when running, etc.).
- j. The supervisor of each employee participating in the wellness program is responsible to ensure that their employees abide by the rules and guidelines found in this policy.
- k. Employees may not earn overtime or compensatory time as a direct result of participating in the Department's on-duty wellness program.
- l. The Training Unit maintains a list of person authorized to participate in the Department's on-duty Wellness Program.

End of General Order 42.19



Waco Police Department General Order



Title: LATE FOR WORK/TRAINING

Number: 42.20 Effective: 09/26/2014

Cancels: 42.20 Issued: 03/14/1994

Approved: 
Chief of Police

42.20.01 POLICY

Employees report to their place of work at their assigned time. This policy affects employees who are late thirty (30) minutes or less. Employees more than thirty (30) minutes late are considered as failing to report for duty (AWOP). Supervisors are responsible for verifying that their subordinates arrive on time.

42.20.02 PROCEDURES

A. Late Employees

1. An employee is considered late if not in his assigned work station at the proper time/assigned time, unless prior supervisory arrangements have been made. The applicable time is the time displayed on the Executime clock in the employee's work area.
2. Employees who know they are going to be late contact their supervisor and advise him of the situation as soon as possible. If an employee cannot contact his immediate supervisor, he must contact a supervisor in his Division.
3. Supervisors complete a written Employee Tardiness Record each time an employee is late without supervisory approval.
 - a. Employee Tardiness Records are maintained in the employee's section evaluation file for civilians or the unit/section/platoon file for sworn personnel. Employee Tardiness Records older than 1 year are destroyed.
 - b. A Personnel Complaint is completed on the employee upon the second unexcused Employee Tardiness Record during previous twelve (12) month period.
4. Information in the written Employee Tardiness Record includes:
 - a. Type of violation (tardiness)
 - b. Date, time, location
 - c. Statement of violation
 - d. Employee's response

- e. Supervisor's action (warning for the first violation)
- 5. The employee signs the Employee Tardiness Records and is immediately given a copy.
- 6. Requests for excused absences for circumstances beyond the employee's control are submitted for approval to the employee's Assistant Chief through the Chain of Command.
- 7. Department Staff responsible for conducting training, where attendance is mandatory, complete an Employee Tardiness Record when an employee is late.
 - a. Staff Personnel complete the Employee Tardiness Record with a brief statement of violation and submit it to the employee's immediate supervisor.
 - b. The employee's supervisor completes the remainder of the form and has the employee sign it.
- 8. Supervisors may adjust an employee's work schedule if the change in work schedule is based on reasons other than to prevent the employee from being late.

End of General Order 42.20

EMPLOYEE TARDINESS RECORD

Name of Employee _____

Division Assigned _____

Immediate Supervisor _____

Violation Date/Time _____

Supervisor Completing Form _____

Brief Statement of Violation _____

Employee's Remarks/Statements _____

Supervisor's Action	_____	Noted and Placed in File
	_____	Action Taken
	_____	Excused by Division Commander

Be advised that only one tardiness violation is allowed during any 12 month period and a second violation will result in a Personnel Complaint Form.

Employee's Signature

Supervisor's Signature



Waco Police Department General Order



Title: **SHIFT DIFFERENTIAL PAY** Number: **42.21** Effective: **06/15/12**

Cancels: **42.21** Issued: **11/30/06**

Approved: 
Chief of Police

42.21.01 POLICY

The Department recognizes that there are personnel whose position and responsibilities require them to work hours in which more than fifty percent (50%) of the time worked is after 1800 hours and before 0600 hours as codified in Waco City Ordinance §18-89. The amount of the compensation to be paid shall be established by the city council as part of the annual budget of the city or as an amendment to the budget approved for a specific fiscal year. The purpose of this policy is to provide guidelines for shift differential.

42.21.02 DEFINITIONS

Shift Differential Pay Personnel – Commissioned Personnel whose duties and responsibilities require them to work a shift in which more than 50% of the time worked is after 1800 hours and before 0600 hours.

42.21.03 PROCEDURES

A. Shift Differential Pay

1. Is automatically paid per Meet and Confer Contract for Shift 2 (1500-0100) and Shift 3 (2100-0700) at the rate of \$.80 an hour contingent on the officer's assignment to the shift.
2. Is for all police officers who work a shift in which more than 50% of their assigned shift is worked after 1800 hours and before 0600 hours.
3. Officers on overtime are eligible for shift differential pay when more than 50% of the overtime assignment is after 1800 hours and before 0600 hours.
4. Officers on call, who are called out, are eligible for differential pay if more than 50% of their assignment is after 1800 hours and before 0600 hours.

End of General Order 42.21



Waco Police Department General Order



Title: SOCIAL MEDIA

Number: 42.23

Effective: 09/01/2013

Approved: Brent Estromen
Chief of Police

42.23.01 PURPOSE

The Department endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. This policy establishes the Department's position on the utility and management of social media and provides guidance on its management, administration, and oversight.

42.23.02 POLICY

Social media provides a new and potentially valuable means of assisting the Department and its personnel in meeting community outreach, problem-solving, investigative, crime prevention, and related objectives. The Department also recognizes the role that these tools play in the personal lives of Department personnel. The personal use of social media can have bearing on Departmental personnel in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by department personnel on or off duty, which is likely to discredit or reflect unfavorably on the Department.

42.23.03 DEFINITIONS

Blog – A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for “Web Log.”

Page – The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.

Post – Content an individual shares on a social media site or the act of publishing content on a site.

Social Media – A category of Internet-based resources that integrates user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, MySpace), microblogging sites (Twitter, Nixle), Photo- and video-sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).

Social networks – Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

Speech – Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

Web 2.0 – The second generation of the World Wide Web focused on sharable, user-generated content, rather than static web pages. This term can be used interchangeably with social media.

Wiki – Web page(s) that can be edited collaboratively.

42.23.04 ON-THE-JOB-USE

A. Department-Sanctioned Presence in Social Media

1. Determine strategy

- a. Where possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the Department's presence on the website.
- b. Where possible, the page(s) should link to the Department's official website.
- c. Social media page(s) should be designed for the target audience (s) such as youth or potential police recruits.

2. Procedures

- a. All Department social media sites or pages shall be approved by the chief and shall be administered by the employee and his/her supervisor unless otherwise designated by the Chief.
- b. Where possible, social media pages shall clearly indicate they are maintained by the Department and shall have Department contact information prominently displayed.
- c. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.
 - (1). Content is subject to public records laws. Relevant records retentions schedules apply to social media content.
 - (2). Content must be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies.
- d. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the Department.
 - (1). Pages shall clearly indicate that posted comments will be monitored and that the Department reserves the right to remove obscenities, off-topic comments, and personal attacks.
 - (2). Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.

3. Department Sanctioned Use

- a. Personnel representing the Department via social media outlets shall do the following:

- (1). Identify themselves as a member of the Department.
 - (2). Conduct themselves at all times as representatives of the Department.
 - (3). Adhere to all Department standards of conduct and observe conventionally accepted protocols and proper decorum.
 - (4). Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential law enforcement information, including photographs or videos.
 - (5). Not conduct political activities or private business.
- b. Department personnel use of personally owned devices to manage the department's social media activities or in the course of official duties is prohibited unless approved by the Chief or City policy.
 - c. Employees shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

B. Potential uses

1. Social media is a valuable investigative tool when seeking evidence or information.
2. Social media can be used for community outreach.
3. Social media can be used to make time-sensitive notifications related to road closures, special events, emergencies, and missing or endangered persons.
4. Social media can be used by applicants for employment and in gathering information related to the hiring process.
 - a. Persons seeking employment and volunteer positions use the Internet to search for opportunities and social media can be a valuable recruitment mechanism.
 - b. The Department includes Internet-based content when conducting background investigations of job candidates.
 - c. Search methods shall not involve techniques that are a violation of existing law or in a manner which creates bias.
 - d. Vetting techniques shall be applied uniformly to all candidates.
 - e. Every effort must be made to validate Internet-based information considered during the hiring process.

42.23.05 PROHIBITED POSTING

- A. Posting the following types of criminal justice information and other activities to social networking sites is explicitly prohibited:

1. Confidential, sensitive, or copyrighted information to which employees have access due to their employment with the Waco Police Department.
2. Data from any criminal or administrative investigation including photographs, videos, or audio recordings as such action may jeopardize an investigation or trial.
3. Photographs of suspects, arrestees or evidence unless in the performance of an authorized duty in an attempt to identify a suspect or suspects.
4. Photographs of police facilities or work operations which could affect the safety and security of police employees and/or criminal justice information.
5. Video, photograph, sound recording or other reproductions of the screen, informational readout or audio output of any electronic device used by the Department.
6. Any video, photograph, sound recording or other reproduction of on-duty personnel without the permission of the person(s) depicted.
7. Personal statements about an on-duty use of force incident.
8. Comments related to pending prosecutions and pending civil litigation as such action may jeopardize an investigation or trial.
9. Employees shall not recklessly post false information about the agency, superiors, coworkers, public officials and others who have a relationship to or with the Department.
10. Employees shall not use agency e-mail addresses to register for or to respond to social media sites except in the performance of an authorized duty.

42.23.06 PERSONAL USE

A. Precautions and Prohibitions

1. Department personnel shall abide by the following when using social media.
 - a. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not affect the efficient or effective operations of the Department.
 - b. Department personnel are cautioned that speech on-or off-duty, made pursuant to their official duties—that is, that owes its existence to the employee’s professional duties and responsibilities—is not protected under the First Amendment and may form the basis for discipline. Department personnel should assume that their speech and related activity on social media sites will reflect upon their office and this department.
 - c. When using social media, Department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the department’s code of conduct is required in the personal use of social media. In particular, Department personnel are prohibited from the following:

- (1). Speech containing obscene or sexually explicit language, images or chats and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.
 - (2). Speech described as prohibited in General Order 10.01.01.
- d. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings.
 - e. Department personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of this Department without authorization from the Chief.
 - f. Department personnel should be aware that privacy settings and social media sites are constantly in flux, and they should never assume that personal information posted on such sites is protected.
 - g. Department personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public forum using city equipment may be accessed by the Department at any time without prior notice.
 - h. Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provision of this policy shall notify his or her supervisor.

End of General Order 42.23



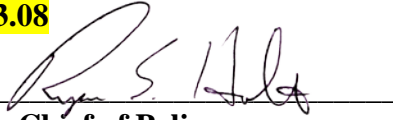
Waco Police Department General Order



**Title: EMPLOYMENT, PLACEMENT,
SEPARATION OF EMPLOYMENT
TPCA 3.08**

Number: 43.02 Effective: 06/22/2018

Approved:


Chief of Police

Cancels: 43.02 Issued: 01/01/2016

43.02.01 POLICY

It is the policy of the Department to afford all persons fair and equal employment practices. The Department is dedicated to the selection of the most qualified persons for police service.

43.02.02 PROCEDURES

A. Assignments/Transfers

1. Selections, assignments, and transfers are based on need, qualifications of the employee, and the best interests of the Department.
2. Employees (civilian and commissioned) are encouraged to make their assignment preferences and qualifications known.
3. Assignments within a division are made by the Assistant Chief (or designated subordinate supervisor) according to the demand for police service, workload, and available employees.
4. The final decision regarding assignments and transfers is made by the Chief of Police upon recommendation of Department staff.
5. Each division may further develop procedures for assignment requests within the division provided the procedure is consistent with Department policy.

B. Civilian Personnel Employment

1. Posting a Position

- a. Assistant Chiefs (or designated subordinate supervisors) notify the Personnel Unit of vacancies within their division. Qualifications for the position are noted in the request for applicants.
- b. The Personnel Unit forwards the vacancy information to the City Human Resources Department.
- c. The City Human Resources Department posts the vacant position.

2. Applications for Positions

- a. All applications for a particular position are screened by the City Human Resources Department.
- b. After the posted position closes, a supervisor must review applications on file at the City Human Resources Department and select those applications they plan to consider further. The applications are given to the Personnel Unit for further processing.
- c. The Personnel Unit conducts background investigations. The depth of the background investigation is commensurate with the needs of the particular position.
- d. Once the backgrounds are completed, the Personnel Unit schedules the recommended applicants for an interview by a three-member panel, whenever possible, made up of personnel within the division where the vacant position exists. The panel members are appointed by the Assistant Chief (or designated subordinate supervisor). Interviews are structured in cooperation with the City Human Resources Department. Copies of the structured interviews are maintained by the City Human Resources Department.
- e. The interview panel may choose to use other testing materials to determine the most suitable candidate for employment. The testing material is job related and uniformly applied.
- f. After interviewing applicants, the interview panel makes recommendations to the Assistant Chief (or designated subordinate supervisors). The Assistant Chief (or designated supervisor) then makes the selection. If a selection is not made, the procedure outlined in the City Human Resources Department's Hiring Packet is followed. Once the selection is made, the Assistant Chief (or designated subordinate supervisor) rank the order of the remaining qualified applicants. The referral forms of both qualified and rejected applicants are compiled in accordance with the City Human Resources Department's Hiring Packet procedure.

All newly appointed civilian personnel will receive the following training from the Chief or their designee:

- 1.) Orientation to the department's role, purpose, goals, policies and procedures
 - 2.) Working conditions, rules, and regulations
 - 3.) Responsibilities and rights of employees
- g. Positions which require training and certifications are Crime Scene, AFIS, Property Room Technicians, Sex Offender register, Victim Services, Crime Prevention Specialist, Dispatchers, Records Supervisor and Records Personnel, Open Records Technicians, Community Outreach volunteers.
 - h. Non-sworn communicators and communicator supervisors will complete Commissions basic tele-communicators and TCIC/NCIC full operators training within 90 days of hire. Records Supervisor and Open Records Technicians will complete a course in Texas State Open Records and records retention within 90 days of hire. Any non-sworn personnel who have state required or job specific training will be provided that training either prior to job assignment or within 90 days of assignment.

C. Police Officer Employment

1. All applicants are referred to the Personnel Unit. The Personnel Unit obtains a completed application form and other necessary documents.
2. All applications are handled in compliance with Civil Service statutes and any local rules or agreements in place at the time of application. In the event of a Civil Service test, the test scores are rank ordered by the Civil Service Director and forwarded to the Chief of Police.
3. The Personnel Unit conducts a background investigation and gives the applicant all necessary tests.
4. An oral interview board appointed by the Chief interviews applicants and makes recommendations to the Chief of Police. Applicants are hired in the order they scored on the Civil Service Examination, pending a positive psychological evaluation and passing a complete medical examination.
5. The Personnel Unit assembles all forms pertaining to the applicants and processes the applicants through the City Human Resources Department.

D. Personnel Files

1. The Personnel Unit prepares files for all applicants.
2. The files are maintained and retained according to Department policy regulations on personnel files.

E. Separation of Employment

1. Letters of resignation are forwarded to the Chief's Office.
2. Personnel files are retained as set out in the General Orders.

End of General Order 43.02



Waco Police Department General Order




Title: **SELECTION OF PERSONNEL
FOR ASSIGNMENTS**

Number: **43.03** Effective: **10/01/2011**

Cancels: **43.03** Issued: **02/11/2009**

Approved:


Chief of Police

43.03.01 POLICY

All employees are subject to being transferred between divisions according to the needs and best interests of the Department. When filling a vacancy, the goal of the supervisor is to choose the best person for the position using a fair selection process.

43.03.02 MISCELLANEOUS

- A. Specialized assignments are any assignments other than a field assignment in a patrol function.
- B. All vacancy notices are posted a minimum of fifteen (15) calendar days. Applicants must follow all of the instructions in the vacancy notice or they will be disqualified from consideration.
- C. An officer must submit an Assignment Request Form to Management Services for the requested assignment.
- D. Officers requesting transfer to any specialized assignment will remain in that assignment for a minimum of three (3) years. Any service requirement longer than three (3) years must be approved by the Assistant Chief of Police approving the posting and listed in the posting for the assignment.

43.03.03 SELECTION OF OFFICERS FOR SPECIALIZED ASSIGNMENTS

- A. An officer is eligible for specialized assignments when:
 - 1. He/She has had two (2) years of a field assignment in a patrol function. The two (2) years begins upon completion of the officer's probationary period.
 - 2. There must be at least one (1) eligible applicant meeting the criteria stated in A.1. above. If not, application for the assignment is opened to all officers.
 - 3. If there is only one (1) applicant, and the applicant meets all qualifiers for the position, the applicant will be selected for the position without an assessment testing process.

43.03.04 SELECTION FOR SPECIALIZED ASSIGNMENTS-THE ASSESSMENT PROCESS

- A. An assessment process will be set up for each specialized assignment. The supervisor of the open position will develop the process and the Assistant Chief will approve the entire process.

- B. The assessment process will consist of two (2) of the following three (3) tasks with a score of 35 points each for a total possible combined score of 70:
1. Written test (if a written test is given, applicant must pass the test with a score of at least 70% before proceeding further in the process)
 2. In-Basket or practical exercise to simulate the usual duties of the position
 3. Presentation to a group
- C. The assessment process will also include an oral interview with a possible score of 30.
- D. Once the tasks and oral interview are completed and a combined score is tabulated, $\frac{1}{2}$ point for every year of seniority in the department, up to five (5) points will be added to the total. For the purpose of this order, seniority will be considered from the date the officer receives his/her commission with our Department.
- E. The maximum total points possible for all of the above is 105.
- F. In the event of a tie, the most senior officer as determined in D. above will be selected.
- G. The evaluation process may also require specific job-related qualifiers to participate in the assessment process.
1. These qualifiers are specific skills or a level or proficiency which must be met to qualify to participate and may include:
 - a. a specific level of firearms proficiency; and/or
 - b. a specific level of physical fitness
 - c. a math test
 - d. any other skill set similar to the above to determine an officer's ability to perform a specific skill necessary for the assignment.
 2. Each of these qualifiers is scored as pass/fail and applicants must pass before proceeding in the assessment process. The passing score is not tabulated as part of the assessment process.
 3. An applicant for SWAT may not have two (2) or more sustained complaints for excessive use of force within the two (2) years prior to the posting.
- H. Prior to final selection for certain special assignments such as SWAT or Marksman, officers will be required to submit to psychological/psychiatric testing related to the duties which will be performed as part of the assignment. The testing will be by the final rank order of applicants after all other testing assessments are completed and will only be for the number of applicants equal to the number of open positions.
- I. The evaluation process may also consider an officer's current and continued assignment in other specialized functions in the Department and may exclude officers in these assignments from consideration for the open position. This decision will be up to the Assistant Chief of the Division.

If officers will be excluded because of their assignment to another specialized function, the exclusion must be posted in the original posting.

43.03.05 COMPONENTS OF THE ASSESSMENT PROCESS

A. Written Test

1. If used, the written test is developed by the supervisors in the chain of command for the open position. The Commander approves the test.
2. The test will be multiple choice and may include true/false.
3. Applicants must score at least a 70% on the test to proceed in the assessment process.
4. If special readings will be part of the test material, the material will be available to applicants as part of a test materials packet ahead of time.

B. In-Basket or Practical Exercise

1. The supervisors in the chain of command develop the In-Basket or Practical Exercise and it must be designed to simulate the usual type of work of the position. Results of the In-Basket or Practical Exercise must be quantifiable.
2. The Commander approves the exercise

C. Presentation To A Group

1. The supervisors in the chain of command for the open position develop this exercise.
2. Applicants for the position will be told what will be evaluated in the presentation and who will be scoring.
3. Depending on the open position, scoring may be by employees in the Department, city employees and volunteers/citizens who will have regular interactions with the person in the position. Priority weight will be given to the scores of Department employees.
4. The Commander approves the exercise.

D. Oral Interview

1. General Considerations

- a. An officer's qualification, skills, abilities and special abilities may be taken into consideration as part of the oral interview process. However, any specific requirements for a specialized position, which assessors will be asking questions about and which will be evaluated and scored in the oral interview, must be listed in the original posting for the position. The latter does not include follow-up questions related to an applicant's response to a question or the applicant presenting information related to his/her abilities or skills.
- b. The contents of an officer's civil service conduct file, use of sick time and past disciplinary actions may be considered as part of the oral interview process but cannot be used as a

qualifier to apply for a specialized position. This does not preclude an officer from soliciting a recommendation from a current or past supervisor to support his/her application for the position but a letter of recommendation cannot be required.

- c. The oral interview will consist of a standard set of at least ten (10) but not more than twenty (20) questions asked of each qualifying applicant.
- d. The questions will be developed ahead of time and approved by the Assistant Chief.

2. Assessors

- a. Five (5) assessors will conduct the oral interview.
- b. Two (2) of the assessors may be supervisors in the Division for the open position or subject matter experts from outside the Division. The assessors selected will be approved by the Assistant Chief.
- c. A third assessor will be a supervisor from Management Services.
- d. The remaining two (2) assessors will be officers randomly selected by the Management Services supervisor and not competing in the process and not related to one of the applicants.
- e. A division, section, or unit which does not have a sufficient number of supervisors to meet the requirements of this section will develop an alternate process to select assessors which must be approved by the Chief of Police.
- f. The supervisor preparing the testing process notifies all five (5) assessors when and where they are needed.
- g. Selected officers have a responsibility to serve as assessor unless they are on any type of previously scheduled department leave.

3. Scoring the Interview

- a. The assessors will ask the interview questions and each assessor will score the applicant's response with a numerical score of zero (0) to five (5).
- b. After each interview and before the next interview and without discussion with the other assessors, each assessor totals up his/her answer sheet.
- c. The score is written on the interview sheet and the assessor gives the interview sheet to the supervisor from Management Services. All sheets are kept in this manner and confidential until all interviews are complete.
- d. Once all interviews are complete, a supervisor from Management Services not involved in the interview process reviews the score sheets for each applicant and tabulates the final score using the calculations listed in 4. below.
- e. The high score and the low score are not considered and the middle three (3) are added together and divided by three (3); this is the applicant's Oral Interview score.

4. Math Calculations

- a. The following information will be on the front page of each interview question sheet used by each assessor:

- 1.) Applicant's Name
- 2.) Date of Interview
- 3.) Assessor's Name
- 4.) Number of Interview Questions
- 5.) Total Number of Points Possible (number of interview questions x 5)
- 6.) Sum of points for all answers
- 7.) Weight given to the Interview: Weight + 30
- 8.) Assessor's score of the Applicant's Interview-Oral Interview Score

- b. The following math calculations will be used to calculate the Assessor's score of the Applicant on the Oral Interview:

- 1.) Number of Questions x 5 = Total number of points possible
- 2.) Weight given to the interview = $30 \div \text{Total Number of Points Possible} = \text{Value of each point}$
- 3.) Value of each point x Sum of points for all answers = Oral Interview Score

5. Conclusion of the Selection Process

- a. After the assessment process, the Assistant Chief and/or supervisor in charge of the selection process rank orders the candidates as determined by their final numerical score.
- b. A rank ordered written recommendation of the candidate(s) to fill the position is submitted to the Chief of Police.
- c. Each candidate is given a copy of the numerical list as soon as practical once it is finalized.
- d. Any objections about the assessment process are to be submitted in writing to the Assistant Chief who posted the vacancy by 1700 hours on the 2nd calendar day after the conclusion of the selection process.
- e. The Chief of Police selects the applicant to fill the vacancy after reviewing the Assistant Chief's recommendation. A Personnel Order is issued after the appeal deadline giving notice of the election, the transfer and its effective date.
- f. After the assessment and selection, at the request of the applicant(s), feedback to the applicant(s) about their weakness and strengths is provided.

- g. An eligibility list of applicants remains in effect for one hundred eighty (180) days that begins on the day after the expiration of the two (2) -day deadline.

43.03.06 SELECTION OF SERGEANTS FOR SPECIALIZED ASSIGNMENTS

- A. The process for selecting sergeants for specialized assignments is the same as for selecting officers with the following exceptions:
1. All sergeants are eligible for specialized assignments. Time in rank/grade is not a preliminary requirement nor is there a minimum requirement for time worked in a patrol function.
 2. If there are not any applicants and the position must be filled by a supervisor, the sergeant with the least amount of time in grade since his/her promotion will be assigned to the position.
 3. Once the tasks and oral interview are completed and a combined score is tabulated, ½ point for every year of seniority at the rank of sergeants in the Department (up to 5 points) will be added to the applicant's total score. For purposes of this order, seniority will be considered from the date of the sergeant's promotion.
 4. The two (2) randomly drawn assessors will be sergeants and/or commanders not competing in the process and not related to any of the applicants

43.03.07 ASSIGNMENTS WITHIN DIVISIONS

- A. Temporary assignments are made by the Assistant Chief (or delegated to subordinate supervisors) according to the demand for police service, workload and available employees. No assignment is for more than ninety (90) days unless approved in writing by the Chief of Police.
- B. Each division may further develop procedures for assignment requests within the division provided the procedures are consistent with Department policy.

43.03.08 CHIEF'S ASSIGNMENTS

- A. The Chief of Police has discretion in assigning the following ranks and/or positions:
1. Assistant Chiefs of Police
 2. Commanders
 3. Professional Standards and Conduct personnel

End of General Order 43.03



Waco Police Department General Order



Title: MERITORIOUS CONDUCT AWARDS

Number: 43.04 Effective: 02/01/2016

Cancels: 43.04 Issued: 05/15/2015

Approved:

Chief of Police

43.04.01 POLICY

The Department recognizes that employees are occasionally called upon to act in a manner beyond routine performance of duty. The Department recognizes outstanding performance by employees, as well as exemplary actions by citizens, with special commendation through the Meritorious Conduct Committee.

43.04.02 PROCEDURES

A. Meritorious Conduct Committee

The Meritorious Conduct Board's purpose is to provide a means for recognizing employee and supervisory excellence in the performance of their duties. Personnel from all units of the Police Department are eligible to serve on the Conduct Committee, both commissioned and civilian.

1. The committee will consist of a total of sixteen (16) members to include the following but is limited to:
 - a. Grade I officers
 - b. Grade I civilians
 - c. Three (3) Grade II supervisors and/or 1st and 2nd line civilian supervisors.
 - d. These positions may be filled by Grade I officers or civilians in the event they cannot be filled by the above mentioned supervisors.
2. The Meritorious Conduct Committee will select current members to hold the following positions:
 - a. One (1) Chairperson
 - b. One (1) Co-chairperson
 - c. One (1) Secretary
 - d. One (1) Treasurer
3. Selection and term of the position of the Meritorious Conduct Committee

- a. Interested employees may submit their names to the Meritorious Conduct Committee Chairperson. Members are randomly selected and voted on by current committee members.
 - b. All committee members *are not* limited to serving a 1 year term once selected.
 - c. Attendance at meetings and meritorious events is mandatory. After exceeding 3 unexcused absences the member will be asked to step down from the committee.
4. The Meritorious Conduct Committee's purpose is to provide a means for recognizing employee(s) and/or supervisor(s) for excellence in performance of their duties.
 5. The Committee convenes when necessary to review recommendations in order to approve or disapprove which awards are given to include "of the year awards". Any person with information or recommendations may be requested to appear before the board.

43.04.03 DEPARTMENT AWARDS

- A. Employees of the Department who observe or receive information regarding actions of an employee that would qualify them for an award, may submit a recommendation directly to the Meritorious Conduct Committee.
 1. The employee submitting the recommendation is responsible to send a copy to the Chief's Office.
 2. The written recommendation must include the type of award recommended, a factual account of the incident, the names of all involved and the actions taken by the employee(s).
 3. Employees nominated for Officer of the Year, Detective of the Year, Commissioned Supervisor of the Year, Civilian Supervisor of the Year, Rookie of the Year, Civilian of the Year and Volunteer of the Year are not considered for other awards, unless a separate nomination is forwarded to the Meritorious Conduct Committee.
 4. The nomination may be included as part of the supporting documentation for the nomination.
 5. A person submitting a recommendation for an "of the year" award may only submit one employee per award.
- B. All awards are presented by the Chief of Police, or his designee, at a time and place selected by the Board. An announcement designating nominees and award recipients will be posted to Department personnel.
- C. All commissioned award recipients will receive an award bar, certificate, or both depending on the award given. A number is affixed to an award bar to indicate multiple awarding of that award bar. The recipient needs to contact the Chairperson of the Meritorious Conduct Board to have the number affixed to his/her award bar.
- D. Honorary awards may be presented to officers or civilians of other agencies when their actions or contributions merit recognition based on their impact on the community or an investigation. Honorary awards must be approved by the Chief of Police.
- E. The Meritorious Conduct Committee Chairperson is responsible to provide a copy of all employee

awards to the Chief's Office once the awards are presented.

43.04.04 EXPLANATION OF AWARDS

Listed in order of prominence to be worn on uniform.

A. Police Cross

1. The highest award in the Department.
2. Awarded when an officer loses his life in performance of duty under honorable circumstances.
3. May be awarded in addition to any award the officer may be entitled to in making the supreme sacrifice.

B. Police Medal of Honor

1. Ranks next in prominence to the Police Cross.
2. Awarded to an officer or civilian employee who voluntarily distinguishes himself conspicuously in a respectful manner, with much integrity during the act of extraordinary heroism. The act must be in excess of normal demands and of such a nature that the officer or civilian employee was fully aware of the imminent threat to his personal safety and acted above and beyond the call of duty at the risk of his own life.
3. Medal of Honor is awarded by the Chief at the recommendation of the Meritorious Conduct Committee.

C. Medal of Valor

1. Ranked next in prominence to the Police Medal of Honor.
2. Awarded for a heroic deed and exceptional meritorious conduct involving exemplary courage, risk and danger to his personal safety.

D. Meritorious Conduct Award

1. Ranked next in prominence to the Medal of Valor.
2. May be awarded to any officer for exceptional contributions to law enforcement through the success of difficult police projects, programs, or situations with such contributions being made in a highly professional degree of accomplishment.

E. Police Shield

1. Ranked next in prominence to the Meritorious Conduct Award.
2. Awarded to any officer or other uniformed employee of the department who is seriously injured during the commission of a felonious assault under honorable conditions.
3. May be awarded in addition to the awarding of a higher award where the facts show the

recipient is entitled to such award.

4. The injury *may not* be the result of or concurrent with any conduct of the recipient that is less than acceptable by all standards.

F. Life Saving Award

1. Ranked next in prominence to the Police Shield.
2. Awarded to any officer or civilian employee(s) for the saving of a human life or police service animal. Intended for those *directly* responsible for the saving of a human or police service animal's life. Documentation and supporting evidence is included to substantiate the award. Documentation may include statements from witnesses, physicians, or supervisors.
3. May be awarded when evidence indicates that actions by the person prolonged a human or police service animal's life to the extent of the victim being released to the care of medical authorities, even though the victim may die at a later time.
4. May be awarded in addition to the awarding of a higher medal where the facts show the recipient is entitled to such award.

G. Police Commendation

1. Ranked next in prominence to the Life Saving Award.
2. Awarded to any officer for outstanding achievement or significant contribution to the Department. Included are accomplishments such as:
 - a. Significant investigations involving exceptional initiative or innovative techniques.
 - b. Special project that significantly improves Department efficiency and/or community relations.
 - c. Other distinguished services or acts that bring credit to the Department.

H. Certificate of Merit

1. Ranked next in prominence to the Police Commendation.
2. Awarded for excellence in police work.
3. Awarded to officers for outstanding performance of duties under unusual, complicated, or hazardous conditions over a period of time.
4. Awarded to civilian employees and officers, for outstanding or superior performance of any assignment over a prolonged period of time, but such performance must be clearly defined as exceptional, placing them well above other officers or civilians of equal rank or grade.
5. Is not awarded in conjunction with another award for the same service or deed.

I. Certificate of Civic Achievement

1. Presented to Department employees who bring favorable recognition to the Department through their involvement in civic affairs while acting in the capacity as an employee and representative of the Department.

J. Citizen's Certificate of Merit

1. All citizens are eligible for this award whose actions exemplify excellence in performance for civic responsibilities, related to Law Enforcement, show unselfish devotion to his fellow man and the community in which he lives, or whose actions bring honor to himself and recognition to the City.
2. Officers having knowledge of an incident involving a meritorious act by a citizen should submit a written recommendation to the Meritorious Conduct Board that the Citizen's Certificate of Merit be awarded.

K. Certificate of Appreciation

1. All persons are eligible for this certificate whose actions show support and generous contribution in providing a public service related to Law Enforcement to the citizens of Waco.

L. Meritorious Unit Award

1. Awarded to a Department unit or section, based upon outstanding performance resulting from the combined effort of its members.
2. The unit's or section's collective actions must reflect exceptional bravery or outstanding service to the Department or the community, above the standard normally expected.
3. Each member of the unit or section will receive a commendation bar

M. Commissioned Supervisor of the Year

1. Ranks equal in prominence to the Certificate of Civic Achievement
2. Nominations are made for any supervisor (of any rank) for consideration of this award
3. Letters of nomination may include, but are not limited to:
 - a. Overall performance for the year
 - b. Commendations and Department awards
 - c. Specific incidents of exemplary performance
 - d. Work on special projects
 - e. Attendance Records
 - f. Civic activities

N. Civilian Supervisor of the Year

1. Ranks equal in prominence to the Certificate of Civic Achievement
2. Nominations are made for any civilian supervisor for consideration of this award
3. Letter of nomination may include, but are not limited to:
 - a. Overall performance for the year
 - b. Commendations and Department awards
 - c. Specific incidents of exemplary performance
 - d. Work on special projects
 - e. Attendance Records
 - f. Civic activities

O. Officer of the Year

1. Ranks in prominence to the Certificate of Civic Achievement
2. Nominations are made for any Grade I officer for consideration of this award
3. Letter of nomination may include, but are not limited to:
 - a. Overall performance for the year
 - b. Commendations and Department awards
 - c. Specific incidents of exemplary performance
 - d. Work on special projects
 - e. Attendance Records
 - f. Civic activities

P. Detective of the Year

1. Ranks in prominence to the Certificate of Civic Achievement
2. Nominations are made for any investigator for consideration of this award
3. Letter of nomination may include, but are not limited to:
 - a. Overall performance for the year
 - b. Commendations and Department awards

- c. Specific incidents of exemplary performance
- d. Work on special projects
- e. Attendance Records
- f. Civic activities

Q. Rookie of the Year

1. Ranks equal in prominence to the Certificate of Civic Achievement.
2. Awarded to the selected officer in his/her first year of service after being released from the field training program (within 18 months of date of hire). Officers who have years of service at another department do not qualify for this award. Only one rookie per graduating class can receive the award.
3. Selection based on:
 - a. Overall performance for the year
 - b. Demonstrated potential for continued commissioned service
4. Nominations include, but are not limited to:
 - a. Commendations and Department awards
 - b. Specific incidents of exemplary performance
 - c. Work on special projects
 - d. Attendance Record
 - e. Civic activities
 - f. Academy test scores

R. Civilian Employee of the Year

1. Nominations are made for any *civilian employee* for consideration of this award
2. Letters of nomination include:
 - a. Overall performance for the year
 - b. Commendations
 - c. Specific incidents of exemplary performance
 - d. Work on special projects
 - e. Attendance Record

f. Civic activities

S. Volunteer of the Year

1. Nominations are made for any *police volunteer* for consideration of this award
2. Letters of nomination include:
 - a. Overall performance for the year
 - b. Commendations
 - c. Specific incidents of exemplary performance
 - d. Work on special projects
 - e. Attendance Record
 - f. Civic activities

T. Master Peace Officer

1. Awarded to any officer who has obtained their Master Peace Officer Certificate.

U. Military Service Award

1. Awarded to any officer with any military service where the service member was honorably discharged. This also includes current members of the Reserves or National Guard.

V. Academic Achievement

1. Awarded to officers who graduate with a degree from a regionally accredited college or university
2. Commendation bars are given for Associate, Bachelors, Masters, or Doctorate degrees. Documentation must be provided to the board.
3. Only the highest degree obtained is displayed on the officer's uniform.

W. School Commendation

1. Awarded to any officer who has graduated from the Southwestern Law Enforcement Institute, GMI, or other school which award bars similar to those awarded by the Department

X. Instructor Certification

1. Presented to an officer upon completion of a TCOLE accredited Basic Instructor Certification Course

Y. Special Event Commendation

1. The Chief of Police may authorize the issuance of special event commendation bars for

employees participating in events or incidents that are unusual in nature.

Z. Longevity Insignia

1. Awarded to any officer based on years of service

43.04.05 PERSONAL COMMENDATIONS

- A. A personal commendation may be initiated by any employee of the Department to commend employees for exceptional performance. It may also be initiated as the result of favorable communication received from any citizen.
- B. Any departmental employee may submit an award recommendation directly to the Meritorious Conduct Board or a member of the Board.
- C. The employee submitting the commendation, congratulation, honor or award recommendation is responsible to send a copy to the Chief's Office.
- D. Any correspondence regarding commendations, congratulations, or honors bestowed on employees, is placed in the employee's file in the Chief's office and copies distributed as follows:
 1. Chief of Police
 2. Employee's Division Assistant Chief
 3. Employee's immediate supervisor
 4. Employee

End of General Order 43.04



Control Log Number: IA- _____ - _____

**Waco Police Department
Personnel Complaint Form**

Source of the Complaint: ☐ Internal ☐ External ☐ Third-Party ☐ Anonymous

Method Received: ☒ Phone ☐ In Writing ☐ In Person

Incident Information

Date: _____ Time: _____ Case Number: _____

Location: _____

Employee Involved: _____ Badge Number: _____

Summary of the Complaint: _____

Complainant Information (Outside the Department)

Name: _____ DOB: _____

☐ Male ☐ Female Race / Ethnicity: ☐ White ☐ Black ☐ Hispanic
☐ Other: _____

Home Address: _____

Business Name / Address: _____

Home Phone: _____ Work Phone: _____ Cell: _____

Complainant provided a written statement (attached): ☐ Yes ☐ No

Complainant Information (Internal)

Name: _____

Supervisor Initiating the Personnel Complaint Form

Signature _____ Date _____

The involved employee was provided a copy of this Personnel Complaint Form: ☐ Yes ☐ No

Employee's Signature _____ Date _____

Investigation Assigned to: _____ Date: _____

Does this complaint warrant an investigation past the completion of this form?

- ☐ Yes: The investigating supervisor will complete a memorandum in accordance with General Order 45.01.12 (Sustained policy violations require a memorandum);
- ☐ No: The investigating supervisor completes the remainder of this form.

Disposition Report

The complaint has been investigated, and can be closed by meeting at least one of the criteria below:

- ☐ The alleged conduct was over 30 days old and is not subject to any of the exceptions detailed in General Order 45.01.06 (E).
- ☐ Information provided to the supervisor was from a third party, and the affected party does not wish to pursue the matter.
- ☐ Information was provided anonymously and is not subject to further investigation.
- ☐ Complaint is a Category II and circumstances do not justify further investigation.

Complaints not disposed of by one of these criteria must be further investigated. The assigned investigating supervisor will complete an Internal Affairs memorandum.

Supervisor's Narrative to support closing the complaint on this form:

Classification

- ☐ Not Sustained ☐ Exonerated ☐ Unfounded ☐ Cancelled

Chain of Command Approval for Complaints Closed on this Form

Investigating Supervisor: _____ Date: _____

Commander: _____ Date: _____

Assistant Chief: _____ Date: _____



Waco Police Department General Order

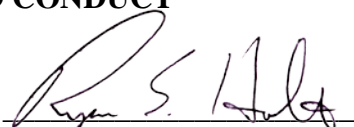


**Title: PROFESSIONAL STANDARDS
AND CONDUCT**

Number: 45.01

Effective: 11/05/2018

Approved:


Chief of Police

Cancels: 45.01

Issued: 11/09/2011

45.01.01 POLICY

All employees are held to a high standard of conduct and discipline in order to preserve a relationship of trust and confidence with the community. To preserve this relationship, the Department's integrity is maintained through an internal system whereby consistency, objectivity, fairness and justice are ensured by an impartial review and investigation of complaints. The system is balanced to equitably serve the needs of the Community, the Department and its employees.

45.01.02 DEFINITIONS

Complaint - An allegation of circumstances in which a specific act or omission, if proven true, would amount to employee misconduct. A valid complaint can come from both an external and internal source.

Note: A disagreement over the validity of a traffic/vehicle code citation or parking violation notice is not grounds for the initiation of a complaint on an employee. The complaining person should be advised that this is a matter to be decided by the court having jurisdiction over the offense.

Complainant – Any person alleging employee misconduct.

Misconduct - An act or omission by an employee that, if proven true, would normally result in some form of disciplinary action.

45.01.03 PROCEDURES

- A. The public has a right to have misconduct by members of the Department thoroughly investigated and properly adjudicated. Therefore, all complaints against an employee of the Department that are properly submitted according to this Order are accepted, and appropriate action will be taken to comply with the requirements of this Order.
- B. This procedure is established to direct the investigation and disposition of complaints against employees of the Department involving alleged or suspected violations of any of the following:
 1. City of Waco and/or Waco Police Department procedure or rule;
 2. Chapter 143 of the Local Government Code or local Civil Service Regulations;
 3. Any ordinance, state law or federal law.

- C. The Professional Standards and Conduct Procedure does not apply to recruits in the Police Academy or probationary officers who are terminated from employment for failure to meet performance standards. Circumstances surrounding the termination of recruits or probationary officers are documented in a Memorandum and sent through the Chain of Command to the Chief, then to the Human Resources Department according to established City procedures. Otherwise, recruits and probationary officers **are** subject to disciplinary action for policy violations.
- D. If, in the opinion of the Chief, an employee's conduct requires immediate administrative action be taken to preserve the integrity of the Department or to avoid jeopardizing an investigation, the Chief, or his designee acting pursuant to the Chief's direction, may take immediate administrative action, thereby bypassing the procedures set forth in this order including, but not limited to, the inception, classification, investigation and review of a complaint. When taking such immediate administrative action, written notice is given to inform the employee of the Chief's reason for believing that immediate administrative action was necessary.

45.01.04 ORGANIZATION OF THE PROFESSIONAL STANDARDS AND CONDUCT UNIT

- A. The Professional Standards and Conduct Supervisor is appointed by the Chief of Police and operates the Unit. The supervisor reports directly to the Chief of Police.
- B. The Chief of Police may assign additional personnel as necessary to assist the Professional Standards and Conduct Supervisor in conducting internal investigations.

45.01.05 RESPONSIBILITY OF THE PROFESSIONAL STANDARDS AND CONDUCT OFFICE

The Professional Standards and Conduct Supervisor:

- A. Directs and coordinates the Office in a fair, efficient and effective manner.
- B. Maintains the Internal Affairs system by:
 - 1. Recording, supervising and controlling the investigations of alleged or suspected misconduct within the agency; and
 - 2. Maintaining the confidentiality of investigations and records.
- C. Ensures the Chief is informed about all complaints, accomplishments, concerns and operations of the Unit.
- D. Maintains a Control Number Log and Cross Index file for internal investigations documented by a Personnel Complaint Form.
 - 1. The Cross Index File, organized by employee's name, contains the following information:
 - a. Control number as assigned by the Professional Standards and Conduct Supervisor
 - b. Date of the complaint
 - c. Disposition of the complaint, and
 - d. Alleged violation(s).

2. The Control Number Log, organized chronologically, contains the following information:
 - a. Control Number
 - b. Date of the complaint
 - c. Employee(s) involved
 - d. Classification
 - e. Action taken
 - f. Alleged violation(s)
 - g. Complainant's name and address, and
 - h. Location of the alleged violation.
- E. Maintains a Control Number Log for non-disciplinary, Administrative Investigations.
- F. Investigates complaints as outlined in these procedures.
- F. Notifies the Chief and the affected employee's Chain of Command of all new complaints.
- G. Ensures employees accused of a policy violation receive a signed copy of the Personnel Complaint Form.
- H. Notifies complainants from outside the department who have alleged employee misconduct that the matter is under investigation.
- I. Provides written notification to persons outside the department who have alleged employee misconduct (unless they do not wish to be contacted) of the final classification of the complaint, and the statement that appropriate action was taken if the complaint was classified as sustained.
- J. Maintains all records related to Internal Investigations in a secure area.
- K. Prepares a monthly and annual summary of unit activities for the Chief. A statistical summary may be published for Department employees and the public.
- L. Assists with the presentation of investigations to the Review Board or to any other appellate body.
- M. May investigate incidents in which an employee is killed or seriously injured in the line of duty if it appears the employee's actions involved a violation of department policy or training procedure.

45.01.06 COMPLAINTS AGAINST EMPLOYEES

- A. Complaints against an employee may be initiated when a complainant alleges employee misconduct, or when a supervisor is made aware of a possible policy violation.
- B. Complainants should be referred to an on-duty supervisor or the Professional Standards and Conduct office.

- C. A supervisor who receives a complaint or learns of a potential rule violation, evaluates the best course of action and if a formal investigation is warranted or the complainant insists on a formal investigation, prepares a Personnel Complaint Form. That supervisor then forwards the original complaint form in a sealed envelope to the Professional Standards and Conduct Office.
1. However, if it is necessary for that supervisor to preserve evidence and/or obtain witness statements, the supervisor receiving or initiating the complaint shall take action to begin an investigation by questioning all witnesses, and gathering all relevant information. If the involved employee is not under the initiating supervisor's command and the employee's supervisor is on duty, the complaint shall be referred to the employee's supervisor, who will take necessary action to preserve and obtain evidence or witness statements.
 2. All evidence and witness statements are forwarded to the Professional Standards and Conduct Unit with the Personnel Complaint Form.
 3. Further investigation is not done by the initiating supervisor until and unless that supervisor is made responsible for the investigation of the complaint.
- D. A citizen may obtain a **Citizen Complaint Form** at the front counter of the Police Department or from the Department web site. The Citizen Complaint Form shall be maintained in English and in Spanish. Completed Citizen Complaint Forms may either be placed in a sealed envelope and forwarded to the Professional Standards Unit for follow-up, or mailed to the department by the citizen at a later time.
- E. Complainants may contact the department in person, over the phone or in writing. Complaints will not be accepted more than 30 days after the alleged incident occurred unless:
1. The alleged misconduct is a violation of any criminal law
 2. The complainant can show good cause for not contacting the department earlier, or
 3. The Chief of Police directs the complaint to be accepted.
- F. Third party complaints are accepted. However, these types of complaints are not investigated beyond the scope of the Personnel Complaint Form unless the affected party desires an investigation, or the Chief of Police directs that an investigation be conducted.
- G. Anonymous complaints or complaints from citizens who wish their names to be held in confidence shall be accepted. However, they will not be investigated beyond the scope of the Personnel Complaint form unless the merits of the case, as determined by the Chief, dictate otherwise.
- H. Persons who want an investigation conducted into the circumstances surrounding their guilt or innocence in a criminal matter are directed to the court system, unless the complainant is alleging an illegal or malicious arrest.
- I. Minor employee errors or omissions, tactical errors in the field and such matters that by their very nature are best dealt with by the prompt corrective action of supervisors, need not necessarily be entered on a Personnel Complaint form. These issues, unless repeated or habitual, may be resolved by means of oral counseling, training, or any other form of informal supervisory documentation.

45.01.07 INVESTIGATIVE RESPONSIBILITY OF COMPLAINTS

- A. When a Personnel Complaint Form is created or received by the Professional Standards and Conduct **Office**, the complaint will be recorded in the Control Number Log and assigned a control number. The complaint is also recorded in the Cross Index File according to the officer(s) involved.
- B. The Professional Standards and Conduct Supervisor will normally conduct the investigation if the complaint involves any of the following:
 - 1. An allegation of excessive or unnecessary force
 - 2. An allegation of a criminal offense
 - 3. An allegation of racial profiling
 - 4. The death or serious injury of a suspect or a civilian resulting from police action
 - 5. Any action that, by its nature, causes widespread public attention or reflects negatively on the reputation of the City of Waco and/or the Waco Police Department, or
 - 6. Two or more employees from different sections or divisions within the Department.
- C. The immediate supervisor of the employee accused of misconduct will normally conduct the investigation of all other types of complaints.
- D. Complaints may be investigated by any supervisor as deemed necessary by the Chief of Police (e.g., if the immediate supervisor is a party to the complaint, to serve the best interest of the Department, etc.).
- E. Complaints investigated by a supervisor other than Professional Standards and Conduct will be of equal or greater rank than the subject of the investigation.

45.01.08 INVESTIGATIONS OF COMPLAINTS**General Guidelines**

- A. All internal investigations are conducted in the most expeditious manner possible.
 - 1. It is the goal of every investigating supervisor to complete an internal affairs investigation within 30 days after initiation of the complaint.
 - 2. In cases when this is not possible, the affected employee is notified of the status of the investigation by the investigating supervisor.
 - 3. Affected employees may contact the investigating supervisor at reasonable times and intervals to check on the status of the investigation.

- B. The supervisor conducting an internal investigation makes every effort to interview the complainant, when applicable, as well as any other person who could provide relevant information.
- C. The supervisor's investigation is detailed and thorough. The supervisor will collect necessary statements and evidence.
- D. Employees with information relevant to any on-going investigation will provide that information to the investigating supervisor or the Professional Standards and Conduct supervisor. Failure or refusal to disclose relevant information may result in disciplinary action against the employee.
- E. If, during an investigation, it is determined that additional misconduct not originally alleged may have occurred, this misconduct is also investigated. The affected employee is notified by means of a revised Personnel Complaint Form.
- F. Any supervisor receiving an investigation from the Professional Standards and Conduct Office accepts the investigation as complete, and does not re-investigate any part of the complaint without approval of the Chief of Police.

45.01.09 INVESTIGATIVE RESPONSIBILITY OF THE PROFESSIONAL STANDARDS AND CONDUCT OFFICE

- A. The Professional Standards and Conduct office investigates each complaint that falls within the scope of its responsibility, unless otherwise directed by the Chief.
- B. The Professional Standards and Conduct office prepares and conducts photographic and stand up line-ups as required, adhering to established Department procedures.
- C. The Professional Standards and Conduct office also arranges for other investigative tests when necessary, including, but not limited to: blood, urine, polygraph and psychological tests.
- D. If the Professional Standards and Conduct office sustains one or more policy violations, the complaint and investigation are sent to the employee's Division Assistant Chief (unless they are a principal in the allegation) for disciplinary recommendations from the employee's supervisory Chain of Command.
- E. The Professional Standards and Conduct Supervisor does not recommend specific disciplinary action for any sustained complaint, but provides the employee's Division Assistant Chief with the range of discipline that has historically been applied to similar infractions, if possible. This range of discipline is to only be used as a guide and does not bind any supervisor to that previous range of discipline when considering all facets of the current complaint.
- F. The Professional Standards and Conduct supervisor is available to answer questions concerning any investigation conducted by that unit.

45.01.10 INVESTIGATIONS AND DISCIPLINARY RECOMMENDATIONS BY SUPERVISORS

- A. Department supervisors investigate complaints that fall within their scope of responsibility, unless otherwise directed by the Chief.

- B. During the course of the investigation, if facts and circumstances are uncovered so the investigation should be conducted by the Professional Standards and Conduct **office**, the investigating supervisor's Assistant Chief contacts the Professional Standards and Conduct office for a determination on who should complete the investigation.
- C. The investigating supervisor will request from the Professional Standards and Conduct office a range of discipline and the affected employee's past disciplinary history for similar policy violations in order to make an appropriate disciplinary recommendation for sustained complaints. **This range of discipline is to only be used as a guide and does not bind any supervisor to that previous range of discipline when considering all facets of the current complaint.**
- D. The investigating supervisor's completed investigation is forwarded up the Chain of Command for review and disciplinary recommendation, when applicable.
- E. Any supervisor who has a different disciplinary recommendation from the one preceding it must provide written justification for changing the recommendation.
- F. If desired, the Division Assistant Chief may convene a meeting of the supervisory Chain of Command to consider: the circumstances surrounding the incident, the employee's past history, the range of discipline that has been applied for similar violations in the past, and the appropriate disciplinary recommendation for the specific sustained violation(s).
- G. If the Division Assistant Chief approves a recommendation for any disciplinary action less than a suspension, the signed memorandum is routed to the Professional Standards and Conduct office for review before being delivered to the Chief's Office for final disposition.
- H. When the Chief approves an investigation with no disciplinary action taken against the employee or imposes disciplinary action less than a suspension, the Professional Standards and Conduct supervisor ensures the affected employee receives a copy of the internal affairs memorandum and notifies the employee's Chain of Command of the Chief's final decision.
- I. If a recommendation for a suspension of any length has been approved, the Division Assistant Chief:
 - 1. Informs the employee of the recommendation
 - 2. Explains to sworn officers that they may respond in writing **within seven (7) calendar days** to the Division Assistant Chief regarding the complaint's sustained classification and/or the disciplinary recommendation, and
 - 3. Ensures the employee has been provided a copy of the finished internal affairs memorandum, and sworn officers are provided copies of their own statement and the complainant's statement.
- J. If the sworn officer submits a written response after a suspension has been recommended, the Division Assistant Chief forwards a copy of the response to each supervisor in the officer's Chain of Command. After reviewing the response, the supervisors notify the Division Assistant Chief whether they believe their disciplinary recommendation should be changed in any way. As necessary, the Division Assistant Chief may convene a meeting of the supervisory Chain of Command to determine a final disciplinary recommendation to be sent to the Professional Standards and Conduct **office** with the completed investigation.

- K. The Professional Standards and Conduct Supervisor reviews each internal investigation before it is sent it to the Chief of Police for final approval to ensure it was written in the proper format and was complete, thorough and impartial.
- L. If a suspension has been recommended for a sworn officer, the Professional Standards and Conduct Supervisor notifies the officer of the option for a Review Board and/or a meeting with the Chief before disciplinary action is imposed. In this meeting with the Chief, the officer may discuss the recommended disciplinary action and any other information relevant to the investigation. If the officer waives the option for a review board/meeting with the Chief, the investigation will be transferred to the Chief for final disposition. The officer's decision is documented on the Review Board Request / Waiver Form provided by the Professional Standards and Conduct supervisor.

45.01.11 CLASSIFICATION AND DISPOSITION OF COMPLAINTS

- A. Investigations of complaints will be closed with one of the following classifications:
 - 1. **Sustained** - the allegation is true and the employee's conduct was inconsistent with the rules or procedures of the City of Waco and/or the Waco Police Department.
 - 2. **Not Sustained** - there is insufficient evidence to prove or disprove the allegation.
 - 3. **Unfounded** - the alleged conduct or action did not occur.
 - 4. **Exonerated** - the action complained of occurred, however, the conduct or action was lawful, proper and in accordance with Department rules and procedures.
 - 5. **Cancelled** - the investigation cannot be completed because the employee has resigned or died, the complainant refused to cooperate in the investigation if that refusal makes it impossible to determine whether a policy violation occurred, or the Chief of Police determines that the investigation will discontinue and / or no disciplinary action will be imposed.
- B. The following can recommend to the Chief of Police that a complaint be sustained, not sustained, unfounded, exonerated or cancelled:
 - 1. The Professional Standards and Conduct supervisor
 - 2. The investigating supervisor, or
 - 3. Supervisors in the employee's Chain of Command.
- C. Discipline will be in the form of:
 - 1. Oral Reprimand
 - 2. Written Reprimand
 - 3. Suspension without pay (**1 day = 8 hours**). For sworn officers, a suspension may be from one to 15 days, but the officer may voluntarily accept a suspension of 16 to 90 calendar days if offered by the Chief.

4. Indefinite Suspension

- D. The Chief of Police makes the final determination as to the disposition of all internal investigations and any discipline to be imposed after taking into account all of the information assembled.
- E. If the Chief imposes discipline in the form of an oral or written reprimand, the Internal Affairs Memorandum will serve as notice of the disciplinary action taken. The employee receives a copy of the memorandum, and a copy is placed in the employee's conduct file in the Chief's office. The original memorandum will be filed with the investigation in the Professional Standards and Conduct office.
- F. If a suspension of any length is to be imposed, the Chief will meet with the affected officer to provide written notification of the disciplinary action being taken, and the specific appeal process available through City policy and / or Civil Service.
- G. If the Chief feels that insufficient evidence exists to impose discipline, the Chief may:
 - 1. Send the investigation back to the Professional Standards and Conduct office or the investigating supervisor for further investigation, or
 - 2. Write on the last page of the memorandum "no disciplinary action taken."

45.01.12 FORMAT FOR INTERNAL INVESTIGATION MEMORANDUMS

- A. The Department's memorandum format is used to document internal investigations, unless the criteria is met to close the complaint using only the Personnel Complaint Form.
- B. The following format is used for the internal investigation memorandum:
 - 1. **TO:** Address the memorandum to the Chief of Police.
 - 2. **DATE** and **FROM:** Self Explanatory.
 - 3. **NUMBER:** Control Number issued by the Professional Standards and Conduct supervisor.
 - 4. **SUBJECT:** Type in the following: Internal Investigation, the name(s) and badge number(s) of the involved employee(s).
 - 5. Drop down two lines and type the heading, "**Alleged Violation/Complaint**". Drop down two lines under this heading, and include a brief statement of the allegation.
 - 6. Drop down two lines and type the heading, "**Investigation**". Drop down two lines under this heading, and include all relevant information regarding the investigation and findings.
 - 7. Drop down two lines and type the heading "**Classification**". Drop down two lines under this heading, and type the recommended classification (see 45.01.11. A.). For motor vehicle crashes, also state if the accident was preventable or non-preventable.

Note: Numbers 8, 9 and 10 below apply only to **sustained** complaints.

8. Drop down two lines and type the heading “**Policy Violated**”. This may differ from what was originally alleged under the **Alleged Violation/Complaint** heading. Drop down two lines, and specifically cite the City of Waco or Waco Police Department rule(s) violated.
9. Drop down two lines and type in the heading “**Recommendation**”. Drop down two lines under this heading, and type a recommendation for disciplinary action to be imposed for each sustained violation (see 45.01.11.C.);
10. Drop down two lines and type the heading “**Justification of Recommendation**”. Drop down two lines under this heading, and explain why the recommended disciplinary action is appropriate. When multiple violations are sustained, supervisors will consider the totality of circumstances when justifying the recommended disciplinary action.
11. At the end of the memorandum, include applicable signature lines for the chain of command. Also, include a sentence to document when and by whom a copy of the memorandum was provided to the employee(s) being investigated and a signature line for the employee.

45.01.13 FORMAT FOR ADMINISTRATIVE INVESTIGATION

- A. The Department's memorandum format is used to document non-disciplinary investigations, including non-preventable motor vehicle crashes that involve department vehicles.
- B. Administrative Investigation memorandums will use the same format as the Internal Investigation memorandum, with the exception of the headings.
 1. The first heading will be “**Incident**”. Under this heading include a brief summary of the incident.
 2. The next heading will be “**Investigation**”. Under this heading include all relevant information regarding the investigation and findings.
 3. The final heading will be “**Classification**”. For motor vehicle crashes, state if the crash was non-preventable. The closing statement on administrative investigation memorandums indicates that no violation of Police Department procedures or rules occurred.
 4. At the end of the memorandum, note when and by whom a copy of the memorandum was provided to the involved employee(s).

45.01.14 RIGHTS AND DUTIES OF THE DEPARTMENT AND EMPLOYEES

- A. An employee is required to truthfully and completely answer all questions directly related to an internal investigation. Refusal to comply with an order to answer such questions is a violation of Waco Police Department General Orders, and may subject the employee to disciplinary action up to and including termination from employment.
- B. An employee is afforded all constitutional rights in any **criminal** investigation, including the right to remain silent and the presence of an attorney.
- C. An employee's immediate supervisor does not conduct a criminal investigation involving the employee.

D. At least 48 hours prior to any interrogation or special examination, sworn officers receive written notification of the complaint. This may include a copy of the original complaint or the complainant's written statement. This does not prevent the common practice of a supervisor ascertaining the basic facts of an incident in order to be better prepared to speak to a potential complainant before a formal complaint has been initiated. Nor, does this order prevent a supervisor from ascertaining basic facts of an incident for investigators if an employee is to be removed from a scene during critical incidents.

E. In the event of an internal investigation, all employees have a duty to protect the rights of the accused officer and the integrity of the investigation by maintaining the confidentiality of the investigation by speaking only to those authorized by this policy or the Chief about the situation being investigated. This order does not preclude an employee from speaking to their own attorney about the matter at hand.

F. The lack of a formal complaint does not preclude a supervisor from talking to an employee about an incident that may or may not result in an internal investigation at a later time.

G. Statements

1. Any supervisor may require an employee to give a verbal and/or written statement during the course of any internal investigation.
 - a. An employee is made aware of the **Garrity Warning** before being required to give a statement, whether verbal or in writing.
 - b. Employees under investigation are provided upon request and without unnecessary delay a copy of any written or recorded statement they have made to an investigator.
2. Once the investigation is completed, affected employees are provided a copy of the internal investigation memorandum, and copies of their own statement and the complainant's statement. When multiple employees are involved in an investigation, an employee is only given statements relating to allegations against that employee. The employee is responsible for maintaining the confidentiality of any statements not subject to public release.

H. Interviews

1. Employees are not permitted to have an attorney present in the room during an internal investigation interview. However, the immediate supervisor, if not a principal to the complaint, may accompany the involved employee. The immediate supervisor may be required to accompany the employee at the request of the Professional Standards and Conduct supervisor.
2. Any self-incriminatory admission made during a mandatory interview may be used only in subsequent administrative proceedings, and may not be used against the employee in any subsequent criminal proceeding.
3. Prior to an interview, the employee under investigation is told the name of the investigating supervisor, the interviewing officer, and anyone else present during the interview if this information is not already known.
4. The complete interview is recorded whenever conducted by the Professional Standards and

Conduct office. Any interruptions are noted, and any relevant discussions transpiring during breaks will be summarized on the audio recording and verified for accuracy by the employee. A copy of the recording is provided to the employee upon request.

5. Interviews conducted by investigating supervisors other than the Professional Standards and Conduct office may be recorded only after advising the employee. A copy of the recording is provided to the employee upon request. Neither party will secretly record the interview.
6. All interviews are conducted while the employee is on duty, unless the seriousness of the investigation necessitates an immediate interview during off-duty hours.
 - a. Interviews are held at a Police Department building or at a location agreeable to both parties.
 - b. An interview may not be unreasonably long. The investigating officer allows reasonable breaks to attend to personal physical necessities.
 - c. An employee under investigation is not to be subjected to offensive language, nor threatened with transfer, dismissal or disciplinary action during an interview. No promise or reward is to be made by the investigating supervisor to induce answers to any questions.

I. Special Examinations and Records

1. Employees under investigation may request a blood, urine, DNA, psychological, polygraph, medical examination and/or other type of analysis, agreeable to the Chief, if it is believed that such an examination would be beneficial to their defense.
2. The Department may require a blood, urine, DNA, psychological, polygraph, medical examination and/or other type of analysis, agreeable to the Chief upon the directive of the Chief or their designee.
3. The on-duty investigating supervisor is required to direct an employee to submit to a blood, breath or urine test if an employee's level of impairment or intoxication due to alcohol or any drug has affected or may have affected the employee's job performance, including the safe operation of any vehicle, or could otherwise be a violation of department policy.
4. Upon recommendation of the Professional Standards and Conduct Unit or an investigating supervisor, the Chief of Police or his representative may order an employee to submit to a polygraph examination for administrative purposes concerning an Internal Affairs complaint.

Peace officers may be ordered to submit to a polygraph examination if;

- a. The complainant submits to and passes a polygraph; or
- b. The subject matter of the complaint is confined to the internal operations of the Police Department or City of Waco and the complainant is an employee or appointee of the Police Department or City of Waco and the complaint does not appear to be invalid based on the information available when the polygraph is ordered; or
- c. The Chief of Police considers the circumstances to be extraordinary and believes that the integrity of a Waco Police Officer, the Police Department or the City of Waco is in question.

In all cases, the complainant should be required to submit a signed complaint.

5. An employee may be required to be photographed, participate in a line-up, and/or submit a financial disclosure statement **or other records** when the actions are material to an Internal Investigation being conducted by the Department. **Employees may be required to submit any City owned or provided electronic device pursuant to an Internal Investigation conducted under this order and may be required to provide any password, passcode or biometric intervention to unlock the device or data stored on or through the device.**
6. Orders for special examinations or the production of personal records are put in writing, setting forth the basis for the request and signed by the Chief. A copy of the order is given to the employee by the appropriate supervisor.

45.01.15 WACO POLICE DEPARTMENT REVIEW BOARD

A. Purpose of the Review Board

1. The purpose of the Review Board is to review sustained allegations resulting in the recommendation of a **sworn employee's** suspension.
2. The Board can only be convened at the request of the affected employee.
3. The affected employee has three calendar days to request the Board after being notified by the Professional Standards and Conduct Supervisor.
4. The employee may be present during the hearing, but may have no other observer or representative present.
5. The objectives of the Board are to:
 - a. Make an objective evaluation of the evidence presented to determine if it is sufficient to sustain the allegation(s)
 - b. Determine if the recommended disciplinary action is reasonable under the circumstances of the current investigation and within the range of past actions taken for similar policy violations, and
 - c. Determine if any Departmental deficiency contributed to the incident.

B. Structure of the Review Board

1. The Board consists of five sworn members of the Waco Police Department.
2. The Chairman of the Board is appointed by the Chief of Police and is not in the affected officer's Chain of Command.
3. The affected officer may select the second member of the Board, if that officer is willing to participate in the Review Board process. The affected officer may **not** select one of the officers listed in 45.01.15 (B)(5), with the exception of 45.01.15 (B)(5)(e). An officer **may** select another officer of lesser rank to serve on the Board.

4. The Chairman selects the remaining three members of the Board in the following manner:
 - a. The badge numbers of sworn officers from the Department who are eligible to serve on the Review Board are recorded on chips and placed in a container, from which **seven** chips are then drawn out at random;
 - b. The affected officer **strikes** two of the seven officers drawn;
 - c. The Chairman selects two of the remaining officers to be available to serve as alternates to the Review Board;
 - d. The three officers not struck by the affected officer or made alternates by the Chairman will serve on the Review Board;
 - e. If selected officers and/or alternates are unable to serve as described in 45.01.15 (B)(6), additional alternates may be selected by the Chairman and the affected officer by drawing as prescribed in 45.01.15 (B)(4)(a) at any point after the initial draw and before the scheduled time of the review board. In selecting additional alternates, the affected officer will draw two chips and select one of the two. If more than one alternate is needed, two more chips at a time will be drawn until sufficient alternates are chosen.
 - f. This process is completed in the presence of the affected officer.
5. The following officers are **not** eligible to be selected by the random selection process:
 - a. The Chief of Police
 - b. Personnel assigned to the Professional Standards and Conduct **Office**
 - c. The Chairman of the Review Board
 - d. Officer(s) involved in or witness to the alleged incident
 - e. Officers of less rank than the affected officer except at the Assistant Chief's rank (Commanders are eligible to serve on the Review Board for an Assistant Chief), and
 - f. Relatives of the affected employee.
6. Officers selected at random must serve on the Review Board unless on approved leave or special assignment.
7. Each Board member is responsible to protect the rights of the accused officer by maintaining the confidentiality relating to Board proceedings and the internal investigation, and remain objective and unbiased throughout the Review Board process.
8. Officers having been selected to serve on a Review Board shall notify the Chairman and their Chain of Command immediately on discovering an unforeseen conflict with their service.

C. Hearing Procedures and Administrative Duties

1. The Review Board shall be convened as soon as practical or no later than 10 calendar days after the affected officer notifies Professional Standards and Conduct of the decision to invoke the Board. The Board will report its findings to the Chief no later than 48 hours after convening.
2. The Chairman, who is responsible for maintaining the decorum of the proceeding, calls the hearing to order and proceeds in the following manner:
 - a. The Chairman informs the Board members of the accusation(s) against the affected officer, and explains the objectives of the Review Board.
 - b. The Professional Standards and Conduct Investigator or the supervisor responsible for the investigation presents a summary of the investigation to the Board and the accused employee, if present.
 - c. The Board and the affected employee may question the investigating supervisor regarding the investigation.
 - d. The affected employee may make a statement to the Board and raise any additional matters relevant to the investigation currently before the Board.
 - e. Upon completion of the testimony, the affected employee is excused after being advised by the Chairman that the findings of the Board are advisory only, and ultimately the Chief of Police will determine the final classification of any sustained violations and what, if any, disciplinary action will be imposed.
3. The Chairman calls for a discussion on the following issues:
 - a. Whether there is sufficient evidence to support a Sustained Classification for the alleged violation(s)
 - b. If the recommended disciplinary action is reasonable under the circumstances of the current investigation, and
 - c. If any Departmental deficiencies may have contributed to the incident.
4. The decisions of the Board are by majority vote. Board members do not discuss the complaint or their vote outside the Board hearing.
5. After the Board votes, if the affected officer is present, the Board advises the officer of its decisions and adjourns the hearing.
6. The Chairman documents the Board's decisions on a department memorandum addressed to the Chief and includes the following information:
 - a. Name of the complainant and Control Number
 - b. Name and badge number of the officer
 - c. Date of the hearing
 - d. Names of the Board members serving

- e. Alleged violations in the complaint
 - f. A statement of whether or not the Board agrees with the investigating supervisor's decision to sustain the allegation(s)
 - g. Whether the recommended disciplinary action is reasonable under the circumstances of the current investigation
 - h. A brief explanation of the Board's decisions
 - i. Recommendations concerning any Departmental deficiencies that may have contributed to the incident, and
 - j. Signature of the Board Chairman.
7. The Chairman delivers the memorandum detailing the Board's decisions to the Chief, and a copy of the memorandum is given to the affected officer.

45.01.16 INTERNAL AFFAIRS RECORDS

- A. All Professional Standards and Conduct investigative files are confidential and used exclusively by the Police Department in assuring and maintaining internal discipline and integrity. Access to these files is strictly limited, and they are not released without the permission of the Chief.
- B. Access to the files, records, and their storage area is strictly limited to the Chief or his designee and the Professional Standards and Conduct supervisor.
- C. Employees may request in writing to examine documents in their own Conduct File or a specific Internal Affairs file in which they were the subject of an investigation. The file will not be made available to the requesting employee:
 - 1. Without permission from the Chief or Professional Standards and Conduct supervisor, or
 - 2. If reviewing the information would jeopardize any criminal or internal investigation.
- D. Supervisors of the Department may request general information about an employee's past disciplinary records from the Professional Standards and Conduct office in furtherance of official business. This may include the number of sustained complaints an employee has received, the nature of the allegations, and what, if any, disciplinary action was imposed.
- E. Supervisors of the Department may request to review a specific Internal Investigation file with the permission of their Division Assistant Chief, provided it is in furtherance of official business. The request must be in writing and specify the particular file. A copy of the approved request is placed in the file viewed.
- F. Records related to internal investigations are only released to persons outside the Department when required by discovery in a lawsuit or a specific court order, upon execution of a release by the employee and approval by the Chief, or as otherwise required by law.

- G. The Professional Standards and Conduct office will retain / purge Internal Affairs investigations according to the following schedule:
1. Internal and/or administrative investigations of police-involved shootings resulting in death or injury to any person are retained for an indefinite period of time.
 2. Sustained complaints resulting in a written reprimand, suspension, or indefinite suspension are retained for 15 years from date of imposed discipline.
 3. Sustained complaints resulting in disciplinary action below the level of written reprimand are retained for five years from the date of imposed discipline, provided the employee has had no new sustained infractions in the year preceding the date of destruction.
 4. Investigations resulting in a classification of Unfounded, Exonerated, Not Sustained or Cancelled are retained for three years from the date of conclusion.
 5. Written complaints or records of oral complaints received from the public that do not lead to an internal investigation are retained for two years from the date of determination that no investigation would be conducted.
- H. Internal Investigations will be purged and destroyed by the Professional Standards and Conduct supervisor after the appropriate time has passed, according to the schedule in (G.) above.
1. The Professional Standards and Conduct Supervisor will maintain a log of all investigations purged and destroyed according to the schedule in (G.) above. The log will contain the control number or a description of the document(s) purged, and date of destruction. The log will be kept indefinitely.
- I. The Professional Standards and Conduct office maintains the Control Number Logs for Internal and Administrative Investigations and the Cross Index Files for an indefinite period of time.
- J. Documents placed in an employee's Conduct File and Civil Service Personnel File are retained indefinitely. These may include letters of commendation, written documentation of reprimands, and letters of suspension.
- END OF GENERAL ORDER 45.01



Waco Police Department General Order



**Title: GRIEVANCES AND
COMPLAINTS**

Number: 45.02 Effective: 01/01/2016

Cancels: 45.02 Issued: 11/09/1992

Approved:

Brent E. Roman
Chief of Police

45.02.01 POLICY

The Department believes that sincere, open communication is essential when our employees have problems or concerns regarding their jobs. When grievances or complaints arise, we encourage employees to use the various resources provide within the Grievance and Complaint Policy. The Department encourages all employees to use this procedure without fear of coercion, discrimination, restraint or reprisal of any nature. All oral suggestions, concerns, and complaints are considered and remedies sought at the time they are presented so grievances are avoided. The resolution of the problem at the informal level is encouraged through the division head and Department head levels, unless the employee desires to proceed directly to the formal level. Most problems should be solved at the informal level. In the event that the problem is not solved at this level, the employee has the right to file a formal, written grievance or complaint as established in the following section.

45.02.02 DEFINITIONS

Grievance - An allegation that the rights or benefits specifically provided by law or City of Waco personnel and administrative policies have been denied or applied improperly

Complaint - An allegation that an employee's general employment conditions have been affected in an adverse manner. Employee Progress Review and work performance complaints will be handled as complaints

Additional Related Policies - Complaints relative to the following areas should be handled as prescribed by established policy. Examples of these complaints/policies include:

- A. Equal Employment Opportunity (EEO) Complaint - An allegation that an employee has been unlawfully discriminated against in matters of the employee's age, sex, race, religion, color, national origin or physical and mental disability. Contact City of Waco Human Resources for information or assistance regarding the Equal Employment Opportunity Complaint Policy.
- B. Sexual Harassment Complaint - An allegation that an employee has been unlawfully subjected to unwelcomed sexual advances, requests for sexual favors or physical contact of a sexual nature as a basis for employment decisions or resulting in an intimidating, hostile or offensive work environment for the individual employee. Contact City of Waco Human Resources for information or assistance with the investigation and handling in accordance with the City of Waco Harassment Policy.

45.02.03 PROCEDURES**A. Firefighters' and Police Officers' Civil Service**

Any grievance or complaint over issues that are the responsibility of the City of Waco Firefighters' and Police Officers' Civil Service Commission, as outlined in Section 143 of the Local Government Code, are excluded from this procedure.

B. Grievance/Complaint Process

In order for a grievance/complaint to be officially considered, the procedural steps outlined below must be followed after the occurrence of the challenged action:

1. Oral Presentation/Informal Stage

- a. All grievances and complaints should initially be presented to the immediate supervisor of the aggrieved employee within **thirty (30)** calendars days after the occurrence of the challenged action, or from the time the employee becomes aware of its occurrence, in order to be considered.
- b. It is the responsibility of the supervisor to make every effort to resolve employee concerns as they arise to the mutual satisfaction of both the employee and supervisor.

2. Written Presentation/Formal Stage

- a. If the oral presentation cited above fails to resolve the matter in a satisfactory manner, the employee then has the right to file a formal written grievance or complaint with the immediate supervisor within six working days of the oral decision.
- b. Each person in the Chain of Command has seven (7) working days to formally respond, in writing, to the grievance or complaint unless an extension is approved by the Chief. A copy of all written grievances must be submitted through the Chief's Office.

3. Appeal to Division Head Level

- a. If the immediate supervisor's decision regarding the grievance or complaint is not satisfactory to the employee, he or she may submit the matter in writing to the next level of supervisor within seven (7) working days after receiving notification of the immediate supervisor's decision.
- b. The Division Head, or his designee, then has seven (7) working days to officially respond in writing to the grievant or complainant, unless an extension of time is mutually agreed upon by both parties.

4. Appeal to the Chief

- a. If the Division Head's decision concerning the grievance or complaint is not satisfactory to the employee, he or she may submit the matter in writing to the Chief of Police within seven (7) working days after receiving notification of the division head's decision.
- b. The Chief or his designee then has seven (7) working days to officially respond, in writing,

to the grievant or complainant, unless a written extension of time is mutually agreed upon by both parties.

c. The Chief is the final appeal level for complaints.

5. Appeal to City Management

a. If the Chief's decision concerning the grievance is not satisfactory to the employee, he or she may submit within seven (7) working days after receiving notification of the Chief's decision, a memorandum to the Chief requesting the grievance be reviewed by City Management.

b. The grievance and all related information is forwarded to Human Resources to be processed according to City policy.

c. The employee has the responsibility of contacting Human Resources if not satisfied with the resolution inside the Department.

d. The decision of the City Manager or his designee is final.

6. Any extension of the time limitation can only be accomplished by written agreement on the part of both parties and approval by the Chief. (i.e. additional time required for the supervisor to investigate specific, unanswered questions.)

C. Information to be Included in Grievances and Complaints

1. The following information must be included in any written grievance or complaint.

a. Any written or typed statement of the grievance or complaint and the facts upon which it is based including:

(1) Acts out of which the incident arose.

(2) Exact date of the incident if uncertain, approximate date.

(3) Date of filing or grievance or complaint.

(4) Name of the employee submitting the grievance or complaint and if applicable, name of any other person involved in or alleged to have caused the problem.

b. A written allegation of the specific wrongful act and harm done, and

c. A written statement of the remedy or adjustment sought.

2. The grievance or complaint should also name any witness who may be helpful in resolving the issue.

D. Supervisory Responsibilities in the Grievance and Complaint Process

1. Supervisors receiving the initial written grievance should ensure that it is in the proper form and contains the information required by this policy. The supervisor will help the employee if

needed.

2. Each supervisory level receiving a written grievance or complaint must respond by:
 - a. Acknowledging receipt by noting time, date and name of person receiving the grievance or complaint.
 - b. Analyzing the facts or allegations. This includes talking to the employee filing the grievance or complaint.
 - c. Validate or invalidate, in writing, the allegations in the grievance or complaint, and
 - d. Identifying the remedy or adjustments, if any, to be made
3. If the grievance or complaint is settled at any level below the appeal to the Chief, all written documents are forwarded through the chain of command to the Chief of Police.

E. File controls and Grievance and Complaint Analysis

1. A copy of all written grievances and complaints is maintained by the Chief's secretary and is accessed according to General Order 46.01 Employee Related Personnel Files.

End of General Order 45.02



Waco Police Department General Order



**Title: EMPLOYEE RELATED
PERSONNEL FILES**

Number: 46.01

Effective: 10/19/2012

Approved: 
Chief of Police

Cancels: 46.01

Issued: 11/09/1992

46.01.01 DEFINITIONS OF FILES AND THEIR CONTENTS

Non-Restricted Personnel File: Contains all information related to an employee's salary, promotion dates and military service/status documents.

Restricted Personnel File: Contains non-public personnel records about an employee such as home address/phone number and changes. This file also contains most of the documents from an employee's pre-employment file including application, background information sheet, credit reports, criminal history, driver's license check and polygraph results.

Psychological Evaluation File: Contains department-related psychological evaluations for officers.

Training File: Contains records related to an employee's education and training activity. It includes, but is not limited to, school transcripts, academy exam records, defensive driving records, TCLEOSE records and copies of licenses or certificates related to employment.

Conduct File: Contains copies of documents placed in the Civil Service Director's File (commendations, letters of suspension/indefinite suspension and performance evaluations) and memorandums documenting written and oral reprimands. Memorandums documenting any disciplinary action taken against non-sworn employees are also placed in the conduct file, as well as other documents as approved by the Chief.

Internal Investigation Files: Contents of these files are controlled by the Department's Professional Standards and Conduct policy (45.01).

Grievance File: Contains employee grievances/complaints (as defined by 45.02) and their dispositions.

46.01.02 FILE MAINTENANCE, LOCATION AND ACCESSIBILITY

- A. Supervisors do not maintain employee-related files specific to an individual employee. Instead, they may access Department files as needed when authorized. This does not prevent documenting and maintaining information needed for normal operations.
- B. Access to files by employees when unrelated to department business or to persons outside the department without a signed release is subject to review by the City Legal Advisor and an approved Open Records Request. Access to an employee's own file or access to files by employees conducting department business is subject to approval from the Chief.
- C. Non-Restricted Personnel File
 - 1. This file is maintained in the Chief's Office by the Chief's secretary.
 - 2. This file is generally accessible to the employee, members of the department conducting business

and persons outside the department with a signed release or approved Open Records Request.

D. Restricted Personnel File

1. This file is maintained in the Chief's Office by the Chief's secretary.
2. This file is generally accessible to the employee, supervisors conducting department business, and persons outside the department with a signed release.
3. This file is generally not subject to release through open records, but may be subject to release by way of a court order.

E. Psychological Evaluation File

1. This file is maintained in the Chief's Office and is accessible only to the Chief.
2. This file is generally not subject to release through open records, but may be subject to release by way of a court order.

F. Training File

1. This file is maintained in and by Personnel and Training
2. This file is generally accessible to the employee, members of the department conducting department business, and persons outside the department with a signed release or approved Open Records Request.

G. Conduct File

1. This file is maintained in the Chief's Office by the Chief's secretary
2. This file is generally accessible to the employee, supervisors conducting department business, or persons outside the department with a signed release.
3. This file is generally not subject to release through open records, but may be subject to release by way of a court order.

H. Internal Investigation Files

1. These files are maintained in the Professional Standards and Conduct Unit by the PSAC supervisor according to General Order 45.01.
2. These files are generally accessible only to the Chief and the Professional Standards and Conduct Unit supervisor.

I. Grievance File

1. This file is maintained in the Chief's Office by the Chief's secretary.
2. This file is generally accessible to the Chief, supervisors conducting department business, and the employee making the grievance.

End of General Order 46.01



Waco Police Department General Order



Title: TRAINING

Number: 53.01 Effective: 01/01/2016

Cancels: 53.01 Issued: 08/17/2001

Approved: 
Chief of Police

53.01.01 POLICY

The Department attempts to provide the best qualified instructor for employee training. All Department training is coordinated through the Training Unit. Training is scheduled in a manner which produces a minimum amount of overtime and minimum interference with regular duty assignments. Eligible employees should receive TCOLE credit whenever possible and proper documentation will be maintained on all department training.

53.01.02 DEFINITIONS

- A. In-Service Training - Formal training conducted for Waco Police Department employees by an instructor from this agency or any other company or entity.
- B. Outside Training - This training is usually not set up through the Training Unit. Training attended by any employee that is generally conducted by any other entity besides the Waco Police Department.

53.01.03 PROCEDURES

A. Instructor Assignments

1. The Supervisor of the Training Unit is responsible for determining instructors for all training conducted by the Training Unit.
2. The Training Unit Supervisor will work with supervisors in other sections/divisions to provide the best qualified instructor available.
3. Supervisors are responsible to ensure that each employee under their command, assigned as an instructor in accordance with this Order, fulfills their obligation.

B. In-Service Training

1. The Department conducts its own in-service training utilizing instructors from within the Department along with instructors from outside the Department when certain specialized training needs arise.
 - a. The supervisor of the Department's Training Unit obtains approval from the employee's Chain of Command and discusses the matter with the employee before assigning the employee to teach.

- b. The Supervisor of the Training Unit coordinates the scheduling of outside instructors for Department-wide specialized training.

C. Outside Training

1. Officers requesting to attend training on-duty that is being conducted by another agency or company must submit a request through their Chain of Command.
2. After attendance of training conducted by another agency or company, employees must turn in a copy of their certificate to the Personnel Office within seven (7) days of receiving the certificate.
 - a. When officers attend training conducted by another agency or company, that agency should submit the roster to TCOLE. It is up to the officer attending training to check on whether or not they are getting TCOLE credit.
 - b. When officers attend training where TCOLE credit was not submitted, they need to submit to the Personnel Office their certificate and/or proof of attendance as well as a completed critique of the course within seven (7) days of attendance. The Training Unit will then petition TCOLE for credit.

D. Instructors for Outside Agencies

1. All requests for instructors by outside agencies should be made according to the following guidelines:
 - a. Every effort is made to provide the particular instructor requested by an outside agency. If that person is not available or if a particular instructor is not requested, the Supervisor of the Department's Training Unit finds the best qualified instructor available for the subject to be taught.
 - b. The requested instructor obtains approval from their Chain of Command before their name is submitted as an outside instructor.
 - c. When an instructor assignment is finalized, the employee so assigned and the employee's Chain of Command are notified as soon as practical.
2. Employees obtain permission from their Chain of Command before accepting an instructor assignment at an outside agency.
3. Employees are prohibited from receiving pay from an outside agency for instructing on Department time.

E. Employees assigned as instructors are responsible for fulfilling that obligation. Since Department employees serving as instructors for outside agencies represent the Department, they are governed by the same dress and behavior rules as on-duty employees.

1. This order does not preclude employees from receiving pay as an instructor for OFF DUTY employment, after on off-duty work request has been approved.

F. Instructors for Police Academy

1. Every effort will be made to provide the best qualified instructors for each subject taught in the academy.

G. Training Records and Approval for In-Service Classes

1. To ensure proper documentation and to allow the supervisors of the Training Unit to ensure that what is being taught is consistent with the Department's training, the following will be submitted to the Training Unit Supervisor at least thirty (30) days prior to the training being conducted:
 - a. Lesson plan for the class, to include learning objectives for the course being taught.
 - b. Exam or other assessment instrument including answer key.
 - c. Instructor credentials.
 - d. Any handouts or other written materials being used for the class, including PowerPoint or other methods of the presentation.
2. Within seven (7) days of completion of the class, a printed or typed roster including the attendees' name, signature, TCOLE number and date of birth as well as a blank test and test scores will be turned in to the Training Unit.
3. Fifteen (15) days prior to the training, the Training Unit Supervisor will give notification, in writing, regarding any issues with the submitted documents outlined above.

H. Classroom Training Material, Equipment

1. If Department training material, equipment (projector, etc.) or the classroom is needed, it must be reserved in advance to assure its availability. Equipment is checked out from the supervisor of the Department's Training Unit.
2. The Department training materials, equipment, videos, texts, etc. are for use in conducting Department/City business only. Those who are working as private consultants or instructors need to provide their own equipment and supplies.
3. Employees from the Department's Training Unit assist instructors, as needed, in learning how to operate training equipment.

End of General Order 53.01



Waco Police Department General Order



Title: INVESTIGATION OF CRASHES
TPCA 7.16 & 7.17

Number: 60.03 Effective: 11/01/2017

Cancels: 60.03 Issued: 01/01/2016

Approved: _____
Chief of Police

60.03.01 POLICY

Officers investigate traffic crashes occurring on public roadways by utilizing the online C.R.I.S. CRASH system or by following the rules found in the Instructions to Police for Reporting Crashes booklet. Crash reports must be completed manually when the C.R.I.S. CRASH system is not functioning or when the CRASH to be documented is "NON-REPORTABLE." **This policy may not apply to incidents where a vehicle is used as a weapon by a suspect or when a vehicle is intentionally used as a tool by Law Enforcement.**

60.03.02 PROCEDURES

A. Crash Investigation Policy

1. Officers respond to, investigate and complete a Texas Peace Officer's C.R.I.S. Crash Report or a handwritten (CR-3), and if needed, a Commercial Motor Vehicle Enforcement Supplement Report on any of the following crashes occurring on a public roadway or parking lot open to the public:
 - a. Injury or death (includes apparent or claimed injuries);
 - b. Damage to the property of any 1 person to an apparent extent of \$1,000 or more (see Transportation Code 550.062);
 - c. Failure to Stop and Identify (reported immediately after discovery);
 - d. If any criminal offense has occurred (on Class "B" or higher offense);
 - e. Vehicles owned or leased by the City of Waco;
 - f. Damage to property other than to the vehicles(s) involved; or
 - g. Hazardous material spills.
2. Crashes occurring on parking lots not open to the public involving death or serious injury require an offense report.
 - a. **Follow the guidelines regarding crashes occurring on non-traffic ways and parking areas on p. 36 in the 2017 TX D.O.T. booklet (CR-100).**

3. Issuing citations on crashes

a. Officers investigating crashes will issue citations for:

- (1) Any moving violation that can be proved by physical evidence or impartial witnesses; or
- (2) Any operator license, insurance or equipment violations (excluding Class "B" or higher offenses that require an arrest to be made).

4. Patrol supervisors review crash investigation reports to ensure that the:

- a. Officer conducted a thorough investigation;
- b. Information included in the report is accurate; and
- c. Officer took proper enforcement action.

5. Officers dispatched to crashes **not** requiring a report are responsible to:

- a. Clear the scene
- b. Answer questions, provide instruction and ensure all parties exchange necessary information
- c. Provide involved parties with a Driver's Crash Report (CR-2) for their use as TxDOT no longer requires these forms to be submitted. CR-2 forms are available in the Patrol Form Storage Area and at the front counter of the Police Department.
- d. Check drivers/operators and vehicles involved and issue citations for violations listed in number 3 above.
- e. Determine if any drivers are intoxicated or under the influence of a drug.

B. Responsibilities

1. Officer Responsibilities at Crash Scenes:

- a. At all times when investigating an accident on public roadways or while directing traffic, officers shall wear a reflective safety vest.
- b. Protect the scene;
- c. Take charge of the scene until relieved by another officer or supervisor;
- d. Preserve evidence;
- e. Locate witnesses; obtain witness contact information and take statements as needed;
- f. Contact the Fire Department on hazardous material spills;

- g. Conduct a thorough investigation of the crash and ensure accurate information is placed into the crash report;
 - h. Take enforcement action as appropriate;
 - i. Ensure information is exchanged between the involved parties;
 - j. Ensure that any person driving a vehicle away from a crash scene is not impaired (confused, intoxicated, physically unable to drive, etc.);
 - k. Document effects of crashes on roadway and contact the appropriate agency if a road surface, sign or other traffic control device needs repair or needs to be redesigned.
2. Photographs and measurements are taken in the following situations:
- a. Fatality crashes if criminal charges may be filed (including crashes where the victim has not yet died but there is likelihood of death);
 - b. Police pursuits resulting in serious bodily injury or death to anyone.
3. Photographs are taken in the following situations:
- a. Any crash involving a vehicle leased or owned by the City of Waco or driven by an on-duty City of Waco employee, volunteer, etc.
 - b. Crashes where the elements of an offense need to be thoroughly documented because of its complexity or crashes occurring under suspicious circumstances.
4. Obtain written statements from witnesses in crashes involving:
- a. Fatalities
 - b. Serious injuries if there is likelihood of death
5. Vehicles involved in fatality accidents are towed from the scene and a "Hold" is placed on the vehicle for evidentiary purposes. An authorized Supervisor and/or the Crash Reconstructionist must release a "Hold" from any vehicle involved in a fatality accident.
6. Crash Reconstructionist
- a. The duties of the Crash Reconstructionist are:
 - (1) To reconstruct crashes that result in death or likelihood of death, if needed;
 - (2) To collect evidence needed for the reconstruction;
 - (3) Aid the follow-up investigation in determining whether criminal charges are supported by the evidence, through the use of the Reconstructionist's specialized training, experience and equipment.

b. The Crash Reconstructionist is called out in the following situations:

- (1) When a crash has resulted in death or likelihood of death.
- (2) When the cause of the crash is not clear and the crash is likely to need further follow-up.
- (3) When the crash involved a leased or owned City of Waco vehicle and a Supervisor believes the crash needs to be reconstructed.

7. Follow-up Crash Investigation

- a. Crashes are investigated to the extent possible by the primary officer and/or assisting officers.
- b. Otherwise, the appropriate investigative unit is responsible for follow-up on crash investigations.
- c. On-scene supervisors may call out follow-up detectives or the Crash Reconstructionist if their expertise is needed at the scene of a crash investigation.

8. Personal Property of Persons Involved in Crashes

- a. Wallets, purses, etc., of injured persons are given to the ambulance attendants to be left with crash victims;
- b. On fatality crashes, victim's wallets, purses, etc. are placed in the Property Room for safekeeping;
- c. Vehicles are impounded and/or handled according to Department procedures (See General Order 61.03).

9. Investigated Crashes are Reported by:

- a. Completion of the Texas Peace Officer's Crash Report (CR-3), and when required, a Commercial Motor Vehicle supplement (CR-3C).
- b. Offense and supplement reports to support criminal prosecution when needed.

C. Motor Vehicle Crashes Involving Vehicles Owned or Leased by the City of Waco

1. A report must be completed on all crashes involving City vehicles or on-duty City-employees that occurred inside the Waco City limits. Drivers of City vehicles involved in out of town crashes should ask the law enforcement agency with jurisdiction to make a report.
2. The department name and city vehicle number are entered on all crash reports in the space provided for the owner's name when City of Waco vehicles are involved in crashes (i.e. City of Waco, Traffic Department, #301, P.O. Box 2570, Waco, Texas).
3. An **officer** investigating or aware of a crash involving City equipment:
 - a. Shall not tell the other party that the Police Department will contact him at a later date.

- b. Shall not make any comment concerning claims resulting from the crash or that City vehicles are at fault;
- c. Shall refer the concerned party to the City Risk Manager if any person asked questions about any claim against the City of Waco.

- 4. The supervisor in charge of any crash involving a City of Waco vehicle notifies a representative from Risk Management if the crash caused serious bodily injury or death to anyone.

D. Motor Vehicle Crashes Involving Peace Officers and Firefighters Answering an Emergency Call

- 1. Crash information may be excluded from the driver's license records of peace officers and firefighters under certain conditions.
- 2. Officers note on the crash report whether the driver was either a fireman or police officer responding to an emergency call (included volunteer firefighters).

E. Crash Report Review

- 1. The Department's Driving Instructor reviews each Crash Report involving a police vehicle. The purpose of the review is to identify contributing factors in order to assess training needs. Training needs of a specific nature are brought to the attention of supervisors in the involved driver's Chain of Command. The employee's immediate supervisor ensures that any needed training is coordinated with the Training Staff and properly documented.
- 2. Recommendations on Department driver training needs are sent by the Driving Instructor through their Chain of Command to the Chief of Police.

End of General Order 60.03

552.108(b)

[108(b)(1)]

throughout



Waco Police Department General Order



**Title: UNIFORM ENFORCEMENT OF
TRAFFIC VIOLATIONS
TPCA 7.28**

Number: 60.01 Effective: 03/01/2018

Cancels: 60.01 Issued: 09/10/2014

Approved:

Chief of Police

60.1.1 POLICY

The Department strives to achieve voluntary compliance with traffic laws by all motorists and pedestrians. Uniform enforcement measures support the ultimate aim of voluntary traffic law compliance and are followed whenever possible. After stopping a violator, the officer shall exercise good judgment regarding any enforcement action to be taken, in every case being guided insofar as possible by the Department Uniform Tolerance chart.

60.1.2 PROCEDURES

A. General

1. The officer's action shall demonstrate a professional attitude which serves to improve the relationship between the motoring public and law enforcement. Enforcement action does not allow an officer the right to scold, belittle, berate or otherwise verbally abuse a traffic violator.

B. Levels of Enforcement

1. An on-duty uniformed officer should stop any vehicle for traffic law violations that occur within sight of the officer, if practical to do so.
2. Officers will inform violators of the violation committed as early as possible during the traffic stop.
3. Using discretion within these guidelines, an officer determines which of the following enforcement actions to take:
 - a. Written warning
 - b. Citation
 - c. Arrest. (Persons are not arrested for a traffic offense in lieu of issuing a citation unless approved by a supervisor and Commander)
4. The legislative changes in 2017 to Article 2.133, Code of Criminal Procedure requires that the circumstances of all vehicle to vehicle stops by law enforcement be documented, including stops that result in verbal warnings. If the stop results in a citation for a violation, i.e. speeding, ran stop sign, etc., other violation(s) can result in verbal warnings(s) as the stop was documented in the citation for the violation.

- a. Ex. A stop is documented when a citation is issued for speeding, the officer can verbally warn the driver to address other violations, i.e. fix a tail light that is out, etc.
- b. Ex. A driver is stopped for a burned out license plate light and no citation is issued, a written warning must be issued to capture the data required by the State.

C. Enforcement Action

1. The enforcement action taken on all violations should be based only on the following:

- a. The seriousness of the violation, i.e., muffler violation versus DWI.
- b. The degree of violation, i.e., speeding at 35 versus 55 in a 30-mile zone.
- c. The conditions and circumstances surrounding the violation.

- 1). The conditions under which a violation is committed may be such as to aggravate its seriousness and justify a citation where a warning would otherwise suffice. Some of these are listed here as **aggravating circumstances**:

- 2). There may be extenuating circumstances present in a violation that would affect enforcement action taken. Any circumstances under which the average patrol officer would feel morally compelled to drive in a like manner may be considered extenuating. However, even here the degree of violation may be too great and warrant action. Some examples of extenuating circumstances are:

2. Parking Violations

- a. Street and alley parking is restricted in various areas to ensure fair access to parking and to expedite traffic flow.

b. Enforcement of regulations listed in the Texas Transportation Code and City Ordinances.

- 1). All officers are responsible for issuing parking citations on violations observed and if the situation does not fall into warning tolerance.
- 2). Citations may be issued for fire lane and handicap parking violations on **private property**.
- 3). Before any parking citation is issued, the officer should ensure that the parking prohibition is obvious using street signs or road markings.

- 4). Persons returning to their vehicles before a citation is started may be allowed to move their vehicle without receiving a citation.
- 5). The downtown limited time zones are primarily enforced by a beat officer or officer working a downtown assignment.

(b) Calls on parking violations received between 0900 and 1700 hours, Monday through Friday, are referred to the beat officer or, an officer working an overtime assignment.

3. Towing of Vehicles

D. Chart of Uniform Tolerance

1. The violations listed in the attached chart will be enforced according to the guidelines stated therein.

E. Enforcement of New Laws

End of General Order 60.01

Chart of Uniform Tolerance

Subject only to the existence of extenuating circumstances as set forth in the General Order regarding Uniform Enforcement of Traffic Law Violations, the violations listed below will be enforced according to the guidelines stated therein. Officers investigating accidents will issue citations for moving violations that can be proven by physical evidence or impartial witnesses. Citations for NLI, NOL, other driver's license violations, expired inspection stickers, and similar offenses will also be issued.

Violations	Cite	Warn
Speed - Over limit		
Racing		
Right of Way		
Disregard Signs, Signals, and Markings		
Stop Sign or Flashing Red Light		
Red Light		
Disregard Warning Sign or Flashing Amber Light		
Overtaking and Passing a School Bus		

Violations	Cite	Warn
Driving While Intoxicated or Driving under the Influence of Drugs.		
Fleeing or Attempting to Elude Police Officer		
Other Hazardous Moving Violations		
No Liability Insurance		
No Driver's License		
Violation of Driver's License Restriction		
Altered Driver's License		

Violations	Cite	Warn
Fictitious Driver's License		
Unlicensed Driver		
Driving While License Suspended		
Expired Safety Sticker or License Plates		
Fictitious Safety Sticker		
Fictitious License Plates		
One License Plate		
Safety Belt Law - operator when allows child to ride unsecured in a vehicle		
Failure to Stop & Render Aid		



60.01

Violations	Cite	Warn
Leaving the Scene		
Other Non-Hazardous Violations		
Parking Violations		



Waco Police Department General Order



**Title: POST EXPOSURE TESTING/
PROCEDURES REGARDING
INFECTIOUS DISEASE**

Number: 61.01 Effective: 01/01/2016

Cancels: 61.01 Issued: 03/03/1999

Approved:


Chief of Police

61.01.01 POLICY

It is the policy of the Department to safeguard, to the highest degree possible, Department employees, volunteers and the general public who come in contact with persons who have or are suspected being infected with or carrying an infectious disease without sacrificing essential services to the community or individual citizens.

61.01.02 PROCEDURES

A. Equal Access to Services

Equal access to appropriate services includes but is not limited to prompt access to testing/evaluation services if significant medical conditions or assaults are claimed, and prompt referral/access to a medical provider should the need exist.

B. Carrying

Due to the nature of Reportable Disease, it is impossible to determine with 100% accuracy who is or is not a Reportable Disease carrier. Therefore, **everyone** is considered a potential carrier and handled accordingly.

C. Reportable

Reportable diseases include, but are not limited to, Hepatitis, HIV infection, tuberculosis, and syphilis. Contact Employee Health Services clinic or the McLennan County Local Health Authority if there is a question as to what constitutes a reportable disease for a complete list.

61.01.03 TESTING PROCEDURES

A. General

1. Texas Health and Safety Code provides a mechanism to require someone who may have exposed certain persons to "reportable diseases" to be tested for those "reportable diseases".
2. Law Enforcement Officers may request mandatory testing of a person who may have exposed them to a "reportable disease".

B. Reporting Requirements

1. **Officers who believe** they may have been exposed to a reportable disease while on duty report the exposure to their immediate supervisor or another supervisor as soon as possible but **no later than the end of their shift on the work day of the exposure.**
 - a. An exposure is considered an on the job injury and is reported by supervisors on the city's "SUPERVISOR'S INCIDENT REPORT." The form is completed showing potential exposure to reportable disease as injury.
 - (1). The affected officer reports the possible exposure as soon as possible to his/a Dept. supervisor whom then reports according to procedure through the chain of command to the Chief.
 - (2). If the exposure and reporting occurs during regular clinic hours, the officer should be sent to the Employee Health Services (EHS) Clinic.
 - (3). If the incident occurs after clinic hours, the City of Waco Risk Manager should be contacted for post exposure screening procedural instructions. The EHS clinic should be contacted as soon as possible the next business day.
 - b. For the exposed officer to request that the person who was the source of the exposure be tested, a supervisor and Employee Health Services must be notified as soon as possible so that the actions necessary to request the test may be completed quickly. Texas Department of Health rules require that the request for testing be presented to the Health Authority within 72 hours of the exposure. In addition, failure to complete the steps necessary to request mandatory testing quickly may result in the source of the exposure leaving the area or disappearing before a test can be made, or may result in a deceased person being taken to an undertaker before a test sample can be drawn.
 - c. Treatment of injury, testing, counseling for possible reportable disease exposure may be obtained through Employee Health Services.

C. Requirements for Requesting Mandatory Testing

1. To request mandatory testing of a person who may have exposed a police officer to a reportable disease, the officer must:
 - a. Have experienced the exposure in the course of the officer's employment;
 - b. Believe that the exposure places the officer at risk of a reportable disease including HIV; and,
 - c. Present to the Chain of Command previously described, a sworn affidavit that sets out the basis for the request for testing within 72 hours of exposure.
2. The request for testing must be a sworn affidavit containing:
 - a. The name, home address and telephone number, work telephone number, name and address of employing agency and an emergency number of the officer filing the request

b. Date and time of exposure

c. Description of the circumstances of the exposure, which includes:

- (1). Circumstances that resulted in the officer potentially being exposed by the person thought to be the source of the exposure
- (2). Route of entry of exposure on the officer (i.e., eyes, mouth, needle puncture, an open cut, or other break in the officer's skin)
- (3). The type of bodily fluid the officer had contact with
- (4). If an airborne transmission is thought to have occurred, a description of the space and area within which exposure occurred, including the approximate size of the space, the duration of the exposure, and any other circumstances that may have increased the risk of transmission (i.e., performing CPR)

d. Name, address, probable present location of the person who may have exposed the officer

e. Description of any symptoms displayed by the source of the exposure or other reason for believing the source may have a disease

3. Upon receipt of an affidavit requesting that a person be tested for a reportable disease:

a. The person who was the source of the exposure is given a prompt and confidential notice of the requirement that the person is to be tested if a determination is made that a risk of exposure exists. This order must:

- (1). State the factual grounds for the order for the testing
- (2). Refer the person to an appropriate health facility for testing
- (3). Inform the person of his right to refuse to be tested and the authority of the City of Waco to ask for a court order requiring the test
- (4). A representative of the City of Waco attempts to personally service the person who was the source of the exposure. Upon request, a police officer accompanies the City's representative when personal service is attempted. The officer accompanying the representative of the Health Authority is not the officer who was possibly exposed to a reportable disease.

b. If the person ordered to have a test refuses to comply, request the prosecuting attorney who represents the state in district court to petition the district court for a hearing on the order to be tested.

- (1). The court must appoint an attorney for the person if he cannot afford legal representation and the right to an attorney at the hearing cannot be waived without consultation with an attorney.
- (2). The court reviews the petition of the City of Waco to determine whether exposure occurred and whether the exposure presents a possible risk of infection as defined by

Health Department rule. Both the attorney for the state and the attorney for the person subject to testing may introduce evidence at the hearing in support or in opposition to the testing of the person.

- (3). At the conclusion of the hearing, the court issues an appropriate order requiring counseling and testing of the person for a reportable disease, including HIV infection, or refuse to issue the order if the court determines that the counseling and testing of the person is unnecessary.
- (4). The court may assess court costs against the person who requested the test if the court finds that there was not reasonable cause for the request.
- (5). Upon receipt of test results, Employee Health Services must notify the officer who requested the testing of the results. If the person who was ordered to be tested is found to have a reportable disease, Employee Health Services shall inform the officer of the need for medical follow-up and counseling services.

D. Release of Test Results

1. Information on an individual's personal health information acquired by an officer as a result of a test administered pursuant to the officer's request for testing may **NOT** be conveyed to other persons, or to the Department.
2. Test results are deemed confidential and release or disclosure of the test result is prohibited except as previously detailed.
3. Test results may be released or authorized for release by the person tested or a person legally authorized to consent to the test on the person's behalf; provided that any authorization for release must be in writing and signed by the person tested or the person legally authorized to consent on the person's behalf and such. (Such authorization must state the person or class of persons to whom the test results may be released or disclosed).
4. A person who is found in a civil action to have willfully released or disclosed a test result or allowed a test result to become known in violation of the law is liable for:
 - a. Actual damages
 - b. A civil penalty
 - c. Court costs and reasonable attorney's fees incurred by the person bringing the action

E. Education

1. All employees and volunteers will receive periodic training on this policy, on **Infectious diseases**, and on infection control procedures.
2. The training is coordinated through Employee Health Services and is documented by police training staff.
3. The training covers all areas required to be covered by state law including **blood borne pathogens**, confidentiality and legal issues, universal precautions and the use of gloves and

micro-shields.

F. Supplies and Equipment

1. Major infection control supplies and equipment are stored in the Patrol Sergeants' vehicles. At a minimum, gloves and micro-shields should be stored in all Department vehicles.
2. Employees and volunteers receive documented training on the use and location of supplies and equipment.
3. Supplies and equipment are periodically inspected. The Patrol Administration determines the need for and implements inspections and replacement procedures based on the infection control supplies use and expiration dates. All inspections are to be documented. Replacement of supplies and equipment is the responsibility of management services.

G. Preventative Measures

1. Since medical history and examination cannot reliably identify all persons infected with blood borne diseases, "universal blood and body-fluid precautions" are to be consistently used, when possible, in all physical contacts with the public.
2. Employees having physical contact with the public must:
 - a. Except in exigent circumstances, wear disposable gloves when handling or coming in contact with blood or other body fluids
 - b. Use extreme caution when handling sharp items contaminated with blood or other body fluids
 - c. Use extreme caution during suspect pat downs or searches to avoid needle sticks or puncture wounds
 - d. Use extreme caution during searches of buildings, vehicles, purses, etc. to avoid placing hands in areas which could contain a syringe or other sharp object
 - e. Clean any equipment or areas which have become contaminated with blood or body fluids with a disinfectant or a 1:10 dilution of bleach, then with soap and water
 - f. Use packet mask during CPR procedures.
 - g. Thoroughly disinfect and wash their hands as soon as possible after the contact
3. Equipment, uniforms, clothing or similar materials may be dry cleaned or laundered in any washing machine with regular laundry detergent. Two washes are recommended; the first in cold water to remove soilage, the second in hot water to sanitize. Bleach is recommended when fabric permits. In order to help prevent the spread of contamination, clothing is double bagged until ready to be laundered.
4. See General Order 65.01 in reference to the proper handling of Evidence/Property which may be suspected of contamination by body fluids.

H. Disposal of Contaminated Supplies/Final Disposition of Evidence

1. Supplies which cannot be cleaned and reused and become contaminated with blood or other body fluids are put in the red disposable bag marked contaminated. The bag is part of the clean up kit.
 - a. The disposable bag is put in a marked container in the property holding room.
 - b. Extra bags are located in the room for replacing ones used.
2. Evidence and property in the property room which are contaminated with blood and other body fluids and are to be disposed of are clearly marked by the property room clerk as contaminated and if possible, placed in a red disposable bag. Upon the final case disposition and the completion of a property disposal form by the lead investigator, the Department will make arrangements to have the property properly disposed of or transferred.

End of General Order 61.01



Waco Police Department General Order



**Title: SMALL UNMANNED AIRCRAFT
SYSTEM POLICY**

Number: 61.02

Effective: 10/02/17

Approved:

Chief of Police

61.02.01 POLICY

The Waco Police Department has implemented a small Unmanned Aircraft System (“sUAS”) program to assist law enforcement by providing police services, increasing situational awareness and enhancing officer and citizen safety.

61.02.02 PROCEDURES

A. Use:

1. The sUAS shall be operated by a person designated by the City, who shall possess a Federal Aviation Administration (FAA) Remote Pilot Certificate.
2. Decisions as to whether the sUAS is to be used to complete a mission shall be based on the following:
 - a. Active investigations requiring a photo/video flight;
 - b. Traffic control operations;
 - c. In-progress calls where a short-term aerial presence would be beneficial;
 - d. Search for a fleeing criminal suspect(s);
 - e. Search and rescue of innocent victims;
 - f. SWAT support calls including, but not limited to, barricaded suspects; and active shooter scenarios;
 - g. Provide aerial support for major events.

B. Safety:

1. Adherence to all federal, state, and local laws, ordinances, covenants, and restrictions as they relate to sUAS operations;
2. Not be operated in a manner that presents undue risk to persons or property on the ground or in the air; and

3. sUAS flights shall be conducted only after a thorough assessment of risks associated with the activity. The risk assessment shall include, but not be limited to:
 - a. Weather conditions relative to the performance capability of the sUAS;
 - b. Identification of normally anticipated failure modes (lost link, power plant failures, loss of control, etc.) and consequences of the failures;
 - c. Remote Pilot-in-Command (RPIC) and the observers' fitness for flight operations;
 - d. Overlying airspace and compliance with aviation regulations as appropriate to the operation;
 - e. Communication, command, control, and payload frequency spectrum requirements; and
 - f. Reliability, performance, and airworthiness to established standards;

C. Privacy:

1. The rights of other users of the airspace shall be respected;
2. Individual privacy shall be adhered to by both federal and state laws;
3. Improving public awareness and education on the operation of sUAS shall be of the utmost importance;

D. Position Responsibilities and Duties:

1. Remote Pilot-in-Command (RPIC) responsibilities:
 - a. The RPIC is authorized to refuse any flight request based on current meteorological conditions, physiological conditions, or for any other reason that the Remote Pilot-in-Command believes will affect the safety of the flight. Should the RPIC refuse a flight for any reason, the RPIC shall inform their supervisor as soon as possible of such refusal and the reason for refusal, performance, and airworthiness to established standards.
 - b. While the sUAS is in flight, the RPIC is authorized and responsible for making all decisions regarding use of the sUAS including, but not limited to:
 - 1) Direct control of the sUAS;
 - 2) Duration of flight time;
 - 3) Maximum load allowance;
2. Remote Pilot-in-Command duties shall include, but not be limited to:

- a. Maintaining current awareness of all pertinent agency requirements, FAA regulations, and other regulatory data bearing on the performance of their duties;
- b. Exercising responsibility for the safe operation of all flights, including but not limited to:
 - 1) Flight planning and preparation, including preflight inspections of the sUAS and equipment;
 - 2) Weather briefing;
 - 3) Flight operations, including course, air speed, altitude, and duration;
 - 4) Landing zone selection;
 - 5) Go/no-go and landing judgments with regard to weather minimum or other criteria;
 - 6) Timely address new or previously unknown hazards to safe flight encountered;
 - 7) Making appropriate entries in aircraft logbooks;
 - 8) Maintaining a current FAA Remote Pilot Certificate.

3. Observer duties:

- a. The observer shall be responsible for see-and-avoid operations of the sUAS;
- b. The observer shall remain in contact with the RPIC at all times and communicate any obstacles the sUAS may encounter;
- c. The observer shall immediately notify the RPIC when the flight becomes a hazard to ground personnel or other aircraft;
- d. During any phase of flight, if the observer notices a malfunction with the sUAS, the RPIC shall immediately terminate the flight;
- e. The observer shall be responsible for all radio communication with dispatch;
- f. The observer shall be responsible for the law enforcement aspect of the deployment.

4. sUAS Inspections:

- a. Before any flight, the RPIC shall be responsible for pre-flight inspections according to the Pre-Flight Checklist;
- b. Any anomalies found by the RPIC shall be repaired before any flight is conducted;
- c. After every flight, a post-flight inspection shall be conducted by the RPIC and any anomalies found will be address as soon as possible;

- d. There shall be an Aircraft Checklist generated for each flight and shall cover: pre-flight, run-up, take-off, emergency, landing and post-flight;

5. Emergency Procedures:

- a. All flight personnel shall be thoroughly familiar with all emergency procedures and their specific duty assignments which include implementing the return to home failsafe on the sUAS and if that is not successful a grid search will be implemented;
- b. No member, regardless of involvement in an emergency situation, shall make any statements to the general public or to news-gathering agencies without the knowledge and approval of competent authority;
- c. In the event of an emergency involving the safety of persons or property, the RPIC may deviate from the procedures of this Department Directive relating to aircraft, equipment, and weather minimums to the extent required to meet the emergency;
- d. In the event of an emergency which requires reporting to the FAA, the RPIC shall make sure that the appropriate reports are made through the FAA portal within 10 days of the emergency.

E. Training:

1. Initial and recurrent training for all RPIC and observers are essential to safety and efficiency of the sUAS;
2. The RPIC shall conduct training flights as needed, but no less than once per month to ensure they remain proficient in controlling the sUAS;
3. The RPIC will attend annual training outside the department in order to stay current on sUAS related issues.

End of General Order 61.02



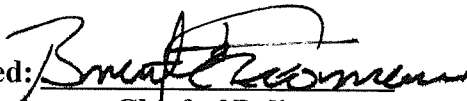
Waco Police Department General Order



Title: HANDLING MOTOR VEHICLES

Number: 61.03

Effective: 06/01/2011

Approved: 
Chief of Police

Cancels: 61.03

Issued: 02/29/1997

61.03.01 DEFINITIONS

Motor Vehicle: Any conveyance subject to registration pursuant to the Texas Certificate of Title Act

Illegally Parked Vehicle: Any vehicle left standing or parked on any public street for more than seventy-two (72) hours continuously or in violation of any other City parking ordinance

Abandoned Motor Vehicle: Any motor vehicle that has remained:

1. unattended on public property for more than forty-eight (48) hours and is inoperable and over eight (8) years old.
2. illegally on public property for more than forty-eight (48) hours (i.e. illegally parked)
3. on private property for more than forty-eight (48) hours without the consent of the owner or person in control of the property
4. unattended on the right-of-way of any designated county, state or federal highway for more than forty-eight (48) hours.

Junked Motor Vehicle: Any motor vehicle that is inoperable and:

1. does not lawfully have affixed to it either an unexpired license plate or a valid motor vehicle safety inspection certificate; or
2. is wrecked, dismantled or partially dismantled or discarded; or
3. remains inoperable for a continuous period of more than forty-five (45) days

Public Property: Property owned or maintained by public funds

Private Property: Property owned or maintained by private citizens or businesses even though such property is open to public use (shopping center parking lots)

Contract Wrecker: Commercial towing service available under contract to the City

Storage Facility: Enclosed area under contract to the City for storing vehicles in custody of the Department

Abandoned Vehicle Warning Sticker: Orange sticker placed on a motor vehicle warning the owner of

possible impoundment of the vehicle.

61.03.02 PROCEDURES

A. Identifying Abandoned Vehicle on Public Property

1. Officers receiving a call on an abandoned vehicle on public property run a registration and stolen check on the vehicle.
 - a. If the vehicle is not stolen and meets the definition of an abandoned vehicle, an **Abandoned Vehicle Warning Sticker** is completed by the officer and placed:
 - (1) on the vehicle's windshield, on the street side
 - (2) in a conspicuous location on the street side if the vehicle does not have a windshield
 - b. Care is taken when affixing the sticker as it is difficult to remove from painted surfaces.
2. Officers tagging vehicles with warning stickers check the location their first working day, five days after the vehicle is tagged.
 - a. If not moved, the officer again runs a registration and stolen check and impounds the vehicle
 - b. An abandoned vehicle offense report is made using a new case number.
3. Patrol supervisors check on tagged vehicles they see to ensure proper follow-up.

B. Illegally Parked Vehicles

1. Traffic Hazards

- a. Officers attempt to locate the owner/operator of an unattended vehicle constituting a traffic hazard and have the vehicle moved. If unsuccessful, the officer does the following:
 - (1) impounds the vehicle
 - (2) makes an offense report

2. Vehicles on private property that are obstructing an entrance, exit or an aisle:

- a. Property owners may have the vehicle removed at their own expense. (Note: property owner should have notices of possible tow away posted).
- b. Officers are not dispatched.

3. Parking Violations: Refer to General Order 61.01 for enforcement policy and tolerance.

C. Vehicles Abandoned on Private Property and Junked Vehicles

1. Private Property (EXCEPTION: Garagekeepers)

- a. Officers are not dispatched to remove or cause the removal of abandoned vehicles on private property.
- b. Persons owning property and requesting this service have the Department's policy explained to them by the person receiving the call.

2. Junked Vehicles

- a. Junk vehicles on private property are referred to the City Inspections Services
- b. Junk vehicles on public property which meet the criteria of an abandoned vehicle are handled by our Department as an abandoned vehicle; officers are dispatched and the vehicles are tagged.

D. Impoundment of Motor Vehicles With No Insurance

1. Officers shall cite the owner or operator of any motor vehicle involved in a crash for No Liability Insurance if they do not have valid liability insurance coverage and impound the uninsured motor vehicle.
2. As a result of any traffic stop, officers shall cite the operator of any uninsured motor vehicle for No Liability Insurance and impound the uninsured motor vehicle.
3. If an officer believes circumstances exist that preclude impounding the vehicle, it may be released at the scene with supervisory approval. Considerations may include:
 - a. the driver operating the vehicle has small children inside the vehicle and it would be impractical or improper to tow their vehicle
 - b. impounding the vehicle would leave the driver/occupants stranded in an unsafe location
 - c. the operator is from outside the county and has no other transportation other than the vehicle they are driving;
 - d. the operator is living inside their vehicle which contains all or most of their belongings;
 - e. wreckers are not available to tow the motor vehicle
4. The citing officer notes the reason(s) why the motor vehicle was not towed on the back of the citizen's No Liability Insurance citation. The case number is also noted on the NLI citation.
5. An impound slip is completed and an offense report dictated any time an uninsured motor vehicle has been impounded.
6. The Texas Financial Responsibility Verification Program (FRVP) has been established through TLETS. Officers may use the **REG** screen on their MDC to assist in determining whether or not a motor vehicle has current liability insurance coverage.
7. Evidence of financial responsibility is **not required** on motor vehicles and in situations described in subsection 601.052 of the Texas Transportation Code.

E. Garagekeepers

1. A garagekeeper must report a vehicle is abandoned after:

- a. A motor vehicle is left for more than ten (10) days in a storage facility operated for commercial purposes **and** written notice is given by registered or certified mail, return receipt requested, to the owner and to any lien holder of record to pick up the vehicle; or
- b. the vehicle is left for more than ten (10) days after a period when under a contract the vehicle was to remain on the premises; or
- c. the vehicle was left for more than ten (10) days by someone other than the registered owner or by a person authorized to have possession of the motor vehicle under contract of use, service, storage or repair.

2. Reporting Responsibilities by Garagekeepers

- a. Must notify the Records Section of the Department within seven (7) days after the vehicle becomes abandoned or no claim may be made for storage reimbursement.
 1. A Report on **Abandoned Motor Vehicle by Garagekeeper** form is completed and accompanied by a \$5.00 fee.
 2. Any documents on fees and notifications are attached to the completed form.
 3. Forms may be mailed to the garagekeeper or picked up at the Front Desk in Records.
 4. The vehicle remains in the custody of the garagekeeper until after the Department complies with notification requirements.

3. Records Section Responsibilities

- a. Follow notification procedures outlined in Section 5.03 of the Texas Traffic Laws
- b. Forward a completed copy of the **Report On Abandoned Motor Vehicles By Garagekeeper** to Criminal Investigations Division for an offense report to be made and for follow-up.
 - (1) Vehicles not reclaimed after notification procedures have been met are impounded by the follow-up investigator.
 - (2) The Department may sell the vehicle according to procedures outlines in Section 5.03 of Texas Rev. Civ. Stat. Article 4477-9a.

F. Removal and Storage of Vehicles

1. Vehicles taken into custody are towed to the storage facility and the keys given to the person in charge at the storage facility.
 - a. If a **Hold** is placed on a stored vehicle, the investigating officer completes the Vehicle Inventory form and hand carries it to the Public Service Technician who stamps a hold on the

inventory form.

- (1) The investigating officer signs and dates the **Hold** stamp and includes all information concerning the condition of the **Hold** in the offense report.
- (2) The pink copy of the form is attached to the case and the white and yellow copies are filed in the impound box.
- (3) A **Hold** may only be released by the officer assigned the case or, if unavailable, a supervisor. Employees do not release a hold on a vehicle if the release is outside the scope of the employee's assigned duties.

b. When a vehicle on **Hold** is released:

- (1) The Officer releasing the vehicle signs and dates the Release section of the **Hold** stamp and includes the release information in a supplement report.
 - (2) Copies are filed by Records employees.
2. When the situation does not call for the Department to store a vehicle and the owner/driver of the vehicle requests the officer call a wrecker for him:
- a. The officer first asks the person which wrecker he wants and requests the dispatcher call that wrecker without recommending, favoring or suggesting a particular wreckers service.
 - b. If the vehicle owner/driver does not have a preference or specify a wrecker service, the officer offers to call a wrecker from the company holding the City contract.
3. Officers do not carry, on duty, any personal item bearing the name, address or telephone number of any wrecker service, auto body shop or auto repair shop. Exception: Contract wrecker service card showing current fees.

G. Inventory and Reports

1. An inventory is conducted on each impounded vehicle.
 - a. Officers complete a Vehicle Storage/Inventory report on each impounded vehicle.
 - b. The report is turned in to Records as soon as practical but before the end of the officer's shift.
2. **Whenever practical**, the inventory is conducted in the presence of the owner/operator of the vehicle and before the contract wrecker tows the vehicle to the storage facility.
3. Purposes of Inventory
 - a. Protection of the owner's property while in police custody
 - b. Protection of officers against claims or disputes over lost, damaged or stolen property
 - c. Protection of officers and others from potential dangers (i.e. firearms, bomb-explosives)

- d. To determine whether a vehicle has been stolen or abandoned
- e. An inventory is not to be used as an excuse to conduct an otherwise improper search of a vehicle and must be conducted in accordance with Department procedures.

4. Scope of Inventory

- a. An inventory listing all items of personal property is listed on the vehicle inventory/storage form.
- b. **Unlocked glove compartments and consoles** may be opened to determine if it contains any personal property.
- c. If the Officer has the keys to the vehicle's **locked glove compartments, locked consoles, locked trunk, etc.,** they may be opened to determine if they contain any valuable personal property. On the vehicle inventory/storage form, the fact that vehicle compartments were locked and whether they were opened is noted.

(1) A forced entry is not made unless:

- (a) A search warrant is obtained; or
- (b) There is probable cause to believe some dangerous instrumentality, contraband or fruits of a crime are contained therein and exigent circumstances exist which call for an immediate entry without a search warrant.
- (c) Unlocked containers found within the vehicle or any compartments in the vehicle are opened to determine if they contain jewelry, money, coins, or anything of value, unless officers are able to ascertain the container's contents from an exterior examination.
- (d) The presence of locked containers is noted on the vehicle inventory/storage form; however, locked containers are only forced open if:
 - 1. a search warrant is obtained; or
 - 2. there is probable cause to believe some dangerous instrumentality, contraband, or fruits of a crime are contained therein and exigent circumstances exist which call for an immediate entry without a search warrant.

(2) A supervisor must approve obtaining a search warrant and be present when the warrant is executed.

H. Release of Stored Vehicles

- 1. A stored vehicle may be released by authority of any supervisor to one of the following:
 - a. Person who presents a valid certificate of title or application for title (valid for use of release sixty (60) days after application).
 - b. Legitimate business or person acting as an agent for the owner. The credibility of the agent should be sufficient to justify the release of the vehicle.

- c. The person in possession of the vehicle when it is impounded provided the vehicle has not been reported stolen.
 - d. The registered owner or lienholder of the vehicle with proper identification.
2. A written receipt is required for the release of stored vehicles.
 3. The requirement to provide proof of financial responsibility may be waived by the impounding department if, after satisfactory evidence of ownership or right of possession has been presented, the owner or individual claiming right of possession provides an affidavit showing no intent to operate the motor vehicle until proof of financial responsibility can be attained.
 4. A vehicle stored pending further investigation is not released without first contacting the investigating officer or his supervisor.

I. Removal of Personal Property from Impounded Vehicles

1. An officer may release personal property from an impounded vehicle to an owner of the vehicle or his designee when:
 - a. a Vehicle Impound Property Release form has been completed
 - b. identification of the person is verified
2. Property is not released without first contacting the investigator or if unavailable, a supervisor, if a hold has been placed on the vehicle or the release of the property is questionable.
3. Clothing, tools and equipment of ones occupation or trade may be released from an impounded vehicle.
4. Property attached to the vehicle is not removed from the vehicle while it is impounded.

J. Vehicle Impound Property Release Form

1. An officer releasing property from an impounded vehicle completes a vehicle impound property release form. A supplement offense report is not necessary.
 - a. All property being released is described on the form.
 - b. The officer and the person receiving the property sign the form. The officer includes his badge number on the form.
2. The Vehicle Impound Property Release form is turned in by the releasing officer before the end of his tour of duty.
3. Records personnel attach the form to the original case in records.
4. Vehicle Impound Property Release forms are kept at the City impound lot
5. Support Services Division re-stocks these forms monthly.

End of General Order 61.03

VEHICLE IMPOUND PROPERTY RELEASE

Date _____ Time _____ Officer _____ Case No. _____

Veh. Year _____ Make _____ Model _____ Lic. _____

Person Receiving Property _____ Address _____

Phone _____ DOB _____ D.L. # _____

Hold on Vehicle: YES NO (Circle One)

If YES, Property Release Authorized By: _____

Description of Property Released _____

Received By

Date

Releasing Officer

5-89



Waco Police Department General Order



Title: TELESERVE OPERATIONS

Number: 61.04 Effective: 01/01/2016

Cancels: 61.04 Issued: 04/12/1999

Approved:


Chief of Police

61.04.01 POLICY

The purpose of the Teleserve Office is to improve service and provide the community with faster response to calls not requiring an on-scene officer.

61.04.02 PROCEDURES

A. Responsibility

1. The Teleserve Operator handles primary reports from walk-in complainants, and takes reports over the phone if the offense has not just occurred and immediate follow-up is not necessary.
2. Teleserve Operators should determine if the incident happened in the City of Waco Limits, if it has already been reported to an officer, and provide the citizen with the case number.
3. Walk-in and phone inquiries on pending cases are forwarded to the section or unit responsible for the case.
 - a. The Teleserve Operator will call and make certain the detective is available and give directions to their location.
 - b. If unavailable, the complainant will be given the detective's phone number to make an appointment when convenient. Walk-in complainants will be given a referral slip.
4. During normal business hours, all Special Crimes inquiries will be directed to the Special Crimes office. Missing Persons reports will be worked by Teleserve personnel when available. Patrol Officers will be dispatched on Missing Persons reports involving children, the mentally challenged, and the elderly.
5. All primary reports, supplements, statements, and property to be tagged should be completed in a timely manner and in all cases by the end of a tour of duty unless a delay is authorized by a Supervisor.

B. Personnel

1. The Teleserve Office will be under Records and the Records Supervisor will supervise personnel assigned to the Teleserve Office.
2. The Teleserve Office will be staffed by a minimum of two operators except for weekends,

breaks and lunch.

3. CID detectives may be called upon to assist Teleserve with calls when Teleserve is unavailable or to help with the overflow. Monday through Friday from 0800 - 1500 hours, a detective will take a call if:
 - a. Teleserve has citizens waiting and the wait will be longer than 30 minutes.
 - b. The call requires immediate attention by a follow-up investigator.
 - c. The section supervisor has a detective available.
 - d. If a citizen walks in to report a sexual assault of a child, contact the CACU Sergeant or other CACU personnel.
 - e. Teleserve or the PST will contact the section supervisor and inform him of the reason and need for a detective to take the call. If a detective is available, the section supervisor will send the detective to assist by taking the call.

End of General Order 61.04



Waco Police Department General Order



Title: ANIMAL CONTROL UNIT

Number: 61.06 Effective: 01/01/2016

Cancels: 61.06 Issued: 02/08/2002

Approved:

Brent E. Roman
Chief of Police

61.06.01 PROCEDURES

A. Hours of Operation

1. Monday through Friday, 0800 - 1700
2. On call for emergencies after normal business hours
3. A work schedule is maintained by the Supervisor and available upon request
4. The Animal Control Unit responds to calls and complaints concerning animals within the city limits of Waco

B. Priority Calls to Service

1. Domestic animal bites that occurred within the city limits of Waco and broke the skin
2. Domestic vicious animals: dogs or cats that are in the act of attacking or have the propensity to attack citizens
3. Dangerous animals: poisonous reptiles inside residence or a vehicle that are posing a threat to citizen safety
4. Cruelty to animals: someone is knowingly or intentionally causing harm or injury to an animal
5. Neglect care of animals: someone without criminal intent is causing injury or harm to an animal
6. Sick or injured stray animals
7. Livestock on roadway that pose a hazard
8. Animals in traps
9. Animals at large

C. After Hour Requests for Animal Control

1. Animal Control Officers may be called out after hours for emergency calls to service. Dispatch will determine if the need exists to contact an ACO after hours. For safety reasons, if an officer requests an ACO, then that officer shall remain on scene until the ACO arrives. If the ACO does not need the officer's assistance, the officer can then resume their normal duties. Emergency calls for service are as follows:

- a. Dispatch or ACO confirmed domestic animal bites that broke the skin and occurred within the city limits of Waco
- b. Officer confirmed animal attacking a citizen/citizen trapped in a vehicle
- c. Officer confirmed unowned sick or injured animals that are immobile
- d. Officer confirmed reptiles or wildlife inside residence
- e. Assist other law enforcement agencies as needed

2. Seizure of Cruelly Treated Animals

- a. No animal that is restrained or contained to the inhabited property shall be removed without first obtaining a warrant. Warrants shall be obtained during normal business hours through the Municipal Court.
- b. Cruelly treated animals include those that have been tortured, seriously overworked, abandoned, unreasonably deprived of necessary food, care or shelter, cruelly confined, or caused to fight with another animal.

3. Domestic Animal Bites

- a. ACOs will investigate all reports of domestic animal bites which break the skin that occur within the city limits of Waco.
- b. When requested, ACOs will assist the McLennan County Sheriff's Department in capturing and transporting animals involved in a bite when a Sheriff's Deputy is on scene.

4. Wildlife

- a. The ACO will respond to calls involving wildlife that are sick, injured, or pose a threat to citizens' safety.

5. Dispatching

- a. All animal related **emergency calls** to service received by Dispatch shall be handled by WPD Dispatch emergency protocol.
- b. WPD Dispatch will transfer all **non-emergency** animal related calls to the Animal Control office.
- c. ACOs will take animal related calls from citizens during regular business hours, Monday through Friday from 0800-1700.
- d. ACOs will take the necessary information from the callers and enter the call in to Chameleon.
- e. ACOs will then assign and complete the call.

End of General Order 61.06

551.108(b)(1)



Waco Police Department
General Order



Title: Response to Mental Health
Consumers in Crisis

Number: 61.07

Effective: 8/24/08

Cancels: 61.07

Issued: 09/29/97

Approved:


Chief of Police

61.07.01 POLICY

61.07.02 GUIDELINES

61.97.03 PROCEDURES

61.07

61.07

End of General Order 61.07



Waco Police Department General Order



Title: HANDLING DISTURBANCES

Number: 61.08 Effective: 01/01/2016

Cancels: 61.08 Issued: 08/11/1997

Approved:

Brent E. Roman
Chief of Police

61.08.01 PROCEDURES

A. Disturbance in Progress

1. Officers are dispatched to a disturbance considered in progress or if it appears that an offense has occurred.
 - a. If a Class C offense has been committed, other than theft, officers:
 - (1). Issue a Class C citation, if warranted,
 - (2) Arrest or make a report
 - (3). Officers retain the information in their field notes.
 - b. Officers will make a complete and thorough report on all offenses and refer victims/complainants to C.I.D. or Neighborhood Investigations as appropriate for the offense.
2. This does not change an officer's responsibilities under Department policy on family violence.
3. Officers at the scene of a disturbance make every attempt to settle the disturbance. Signs or claimed reports of injury will be reported and documented with photo whether persons involved wish to file charges or not. Reports on any Assault should be made as required by law.
4. Officers are not dispatched and/or go with a person to stand by while they retrieve their property or to take part in any other matter that is not of a criminal nature unless approved by a Patrol supervisor.

B. Late Disturbances

1. Officers are not dispatched to late disturbances unless:
 - a. family violence has occurred and/or;
 - b. someone has been injured and/or;
 - c. an element of danger to persons or officers still exist.

2. Complainants requesting police service on a late disturbance and wanting to file charges for an offense that may have occurred are referred to C.I.D. for family violence and Neighborhood Investigations for other offenses (assaults, DOC, Criminal Mischief, etc.)
3. Officers are dispatched if the complainant insists on the presence of an officer.
 - a. The dispatcher explains the policy to the complainant.
 - b. The call is dispatched when an officer is available.

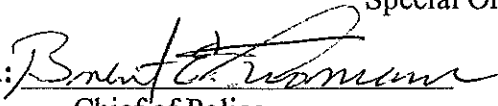
End of General Order 61.08



Waco Police Department General Order



Title: POLICE CANINES Number: 61.09 Effective: 02/11/2009
Cancels: 61.09 Issued: 09/04/2002
Special Order 61.09 05/14/2002

Approved: 
Chief of Police

61.09.01 POLICY

The use of canines is an effective tool for law enforcement. Department canines are trained and deployed for narcotic detection, tracking and building searches. The decision to deploy a canine shall remain with the canine handler. A supervisor, however, may decide not to deploy a canine.

61.09.02 PROCEDURES

A. Duties of the Patrol Canine Teams:

1. Assist on call overload and provide back-up on calls for service.
2. Conduct searches for narcotics.
3. Conduct building or area searches for suspects.
4. Search for persons who may be immobile, injured, lost or missing.
5. Provide assistance in crowd control situations. This requires approval of a supervisor.
6. Conduct demonstrations and training in the use of the canines. The canine handler's immediate supervisor or higher authority approves all canine demonstrations.

B. Canine teams do not:

1. Fill beats or answer calls which would require them to be out of service for long periods of time or any call that would cause the canine to be unattended in the vehicle for an extended period of time.
2. Transport prisoners.

C. Call Outs

1. Patrol canine handlers are normally on-call on the days they are scheduled to work. They are subject to be on-call on other days if the regularly scheduled on-call handler is unable to respond.
2. Canine handlers may be called out to assist WPD personnel who require the handler to perform duties listed in A. above. A request for use of a canine team is made by any supervisor at the scene of an incident. Supervisors should explain the nature of the incident and follow any

instructions from the canine handler(s).

D. Assisting Outside Agencies

1. Approval for a handler to respond to a call in McLennan County must first be obtained from a canine supervisor, or if unavailable, a Patrol supervisor. The supervisor evaluates the request for assistance before deciding whether or not our canine team will respond.
2. The Chief of Police or Acting Chief of Police approves WPD canine team responses outside of McLennan County.
3. Canine handlers may assist outside agencies in the following circumstances:
 - a. to assist in the apprehension of a suspect wanted on a felony offense; or
 - b. if the canine team's efforts could help minimize harm to a person (lost child, missing adult, kidnapped person, etc.);
 - c. conduct searches for narcotics
4. In addition to normal WPD reporting requirements, handlers are also required to dictate an offense report describing in detail the actions taken by them after using or deploying their canine when assisting any outside agency.

E. Injured Handler

1. If the handler is injured and cannot control the canine, this procedure should be followed:
 - a. If there is a canine handler or other officer working that has canine handling experience, they are dispatched to the scene in an attempt to gain control of the police canine.
 - (1.) A canine vehicle is driven as close to the dog as possible and one of the rear doors is opened on the vehicle. The dog should enter the vehicle.
2. If a canine officer is not on duty, contact one of the other handlers to respond to the scene.
3. Contact an animal control officer or vet to tranquilize the dog (only as a last resort).

F. Officer's duties when a canine is deployed:

1. Follow all directions of the handler
2. Do not enter an area where a canine is being utilized without the handler's permission.
3. Do not make any sudden or threatening movements around the canine or handler. Such movements around the canine or the handler may cause the canine to protect itself or its handler.
4. Do not give the canine any commands. The canine's handler is the only person allowed to give the canine commands.



Waco Police Department General Order



**Title: PROCESSING CRIME SCENES
AND RESPONSIBILITIES**

Number: 61.10 Effective: 03/15/11

Cancels: 61.10 Issued: 06/26/98

Approved: 
Chief of Police

61.10.01 PROCEDURES

A. General Responsibilities of Evidence Collection

1. Crime Scene Unit (CSU) will handle all evidence collection including fingerprints and photographs on all cases listed in Section B.1.
2. When a Crime Scene Technician (CST) is not available, Patrol Officers will process all crime scenes not listed in Section B.1. unless there is evidence that needs special handling or documentation beyond the capabilities of Patrol personnel.
3. Digital cameras are available for Patrol Officers to document minor crime scenes when a CST is not available.

B. Crime Scene Responsibilities

1. CSU processes and documents the following crime scenes for evidence, unless otherwise excepted:
 - a. Homicides
 - b. Attempted Murder (When the death is likely and a crime scene exists)
 - c. Sexual Assault (When a crime scene exists)
 - d. Kidnapping (When a crime scene exists)
 - e. Suicides
 - f. Deaths of a questionable nature, suspicious circumstances and/or some indication that foul play may be involved
 - g. The unattended deaths of children under the age of six that are not killed in car accidents
 - h. Incidents where an officer's actions directly or indirectly led to anyone being seriously injured
 - i. Custodial Death Situations

- j. Job related serious bodily injury or death of officers while on duty
 - k. Robberies (of financial institutions)
2. The CSU Sergeant will have the primary responsibility of processing and documenting all officer involved shootings.
 3. When a Crime Scene Technician (CST) is on duty, they may respond to assist officers on the calls listed below if the following criteria are met:
 - a. Burglary of Habitation/Building (When there is a significant amount of evidence to be processed or there is evidence requiring specialized handling or specific equipment is required to process or collect the evidence (i.e. bloody clothing).)
 - b. Burglary of Motor Vehicles (When there are multiple vehicles that need to be processed or there is evidence requiring special handling or specific equipment to process or collect the evidence (i.e. bloody clothing).
 - c. When an outside agency has recovered a vehicle reported stolen through the Department and the vehicle has been towed to the city impound lot, CST's may be sent to the city impound lot to process stolen vehicles for evidence.
 - d. CST's may be sent outside the City to process a vehicle reported stolen through the Department, if the outside agency will have an officer standing by. The CST sergeant or his designee must approve before a CST is sent outside the City limits.
 - e. Minor traffic accidents involving Department vehicles if there is visible damage that can be photographed.
 - f. Any time there is evidence requiring special handling and documentation.
 4. When a CST is not on-duty, the primary field supervisor assigned to the incident will contact the CSU Supervisor or his designee to brief him/her on the facts of the case before the on-call CST is called. If the CSU supervisor or his designee cannot be contacted, the field supervisor will notify the on-call CST.

C. Major Crime Scene Control

1. Field supervisors are responsible to respond to major crime scenes, make assignments to control persons that enter or have entered the crime scene area and ensure the proper notifications are made. A sufficient number of officers are assigned to control access to these scenes.
 - a. Only persons having a legitimate need to enter the scene are allowed entry.
 - b. Every person who enters or is in the crime scene has their name, the time and date they entered the scene logged on the Crime Scene Control Form for evidentiary purposes and court subpoenas.
- (1.) Field supervisors and patrol officers maintain a supply of the forms.

- (2.) The completed form is given to Records personnel to be attached to the original offense report.
 - (3.) The officer in charge of the crime scene control form signs indication he/she was the logging officer.
2. Field officers will provide scene security until the scene has been processed.

End of General Order 61.10



Waco Police Department General Order



**Title: INVESTIGATION OF
GASOLINE THEFTS**

Number: 61.11 Effective: 01/01/2016

Cancels: 61.11 Issued: 11/09/1992

Approved:

Chief of Police

61.11.01 PROCEDURES

A. General

1. Officers are not routinely dispatched to requests for service concerning gasoline thefts from a retail business.
2. Merchants are directed by Support Services employees to complete and submit a Vendor Offense Report.
3. Suspect information is dispatched on reported incidents and officers in the area make an attempt to locate the vehicle.
4. Beat officers are assigned to pick up a completed Vendor Offense Report from a business if time permits.

B. Responsibility for Processing Vendor Offense Report

1. Business Responsibilities

- a. The business attendant on duty at the time of the theft is responsible to complete the report.
- b. The completed report is mailed or brought to the Department if the beat officer is unable to pick up the report.

2. Support Services Division

- a. Initially receive all Vendor Offense Reports and assign a case number
- b. Employees indicate the date the report was received, enter in the computer any information necessary to identify the case and forward the report to the Criminal Investigations Division.

3. Criminal Investigations Division

- a. An appointed supervisor reviews each Vendor Offense Report and decides whether or not to assign the report.

End of General Order 61.11



Waco Police Department General Order



**Title: FAMILY VIOLENCE AND
PROTECTIVE ORDERS**

Number: 61.13 Effective: 6/21/2010

Cancels: 61.13 Issued: 3/27/2005

Approved:

Brent E. Brown
Chief of Police

61.13.01 POLICY

Officers investigating a family violence allegation or responding to a disturbance call that may involve family violence will act to protect any potential victim, enforce the law and make lawful arrests of violators.

61.13.02 DEFINITIONS

Family Violence – Section 71.004 of the Family Code defines Family Violence as: “An act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault or sexual assault, but does not include defensive measures to protect oneself.” It also means “abuse” as defined in Section 261.001 of the Family Code. This excludes the reasonable discipline of a child by a person having that duty.

Dating Violence – Section 71.0021 of the Family Code defines Dating Violence as: “An act by an individual that is against another individual with whom that person has or has had a dating relationship and that is intended to result in physical harm, bodily injury, assault, or sexual assault, or that is a threat that reasonably places the individual in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself.”

61.13.03 PROCEDURES

A. Family Violence Calls

1. When the Department receives calls for service indicating family violence, dispatchers will:
 - a. Review order file to determine if a protective order has been issued;
 - b. Send a minimum of two officers and advise the officers of any protective order restrictions.
2. Required response to Family Violence Calls (Code of Criminal Procedure, Articles 5.04-5.07)
 - a. The primary duties of a peace officer who investigates a family violence allegation or who responds to a disturbance call that may involve family violence are to protect any potential victim of family violence, enforce the laws of this state, enforce a protective order from another jurisdiction as provided by Chapter 88, Family Code and make lawful arrests of violators.

- b. Officers treat all incidents involving family violence as criminal conduct. Mediation is not used as a substitute for appropriate reporting and enforcement action when assaults or other forms of violence have taken place.
 - c. A peace officer who investigates a family violence allegation or who responds to a disturbance call that may involve family violence will advise any possible adult victim of all reasonable means to prevent further family violence, including giving written notice of a victim's legal rights and remedies and of the availability of shelter or other community services for family violence victims. This includes:
 - 1.) giving each adult victim the form titled "Notice to Adult Victims of Family Violence"; and
 - 2.) telling each adult victim they may request a Magistrate's Order for Emergency Protection.
 - d. Officers are not dispatched and/or go with a person to stand by while they retrieve their property or to take part in any other matter that is not of a criminal nature unless approved by a field supervisor.
 - e. Officers who investigate a family violence allegation or who responds to a domestic disturbance call that may involve family violence shall determine whether the address of the persons involved in the allegation or call matches the address of a current licensed foster home or verified agency foster home by running the addresses in TCIC.
 - f. If the officer receives a hit after running the addresses involved as stated in e. above, the officer is required to notify the Department of Family and Protective Services (DFPS) within 24 hours by telephone or via the internet (<http://www.txabusehotline.org>) and make an offense report. The following information should be reported to DFPS:
 - 1.) The Agency Home number from the TCIC hit that identifies the foster home;
 - 2.) The name, DOB, and the Social Security number (if able to get it) of all persons involved in the family violence allegation or incident;
 - 3.) Specific details of the incident to include any details about injuries to children;
 - 4.) Location/address of the incident (the incident could have occurred at a location other than the foster home); and
 - 5.) The case number.
 - g. Officers document in their offense report that they checked the addresses as required and notified DFPS if appropriate. The Call ID or Reference Number given to the officer by DFPS is documented as well.
3. The Support Services Division maintains records/files and retrieval capabilities to comply with the law.

B. Family Violence Arrests

1. Officers will take an assertive approach in the investigation of family violence incidents and take necessary action to prevent future occurrences of family violence.
 2. Officers remember that the primary purpose for making arrests in family violence situations is to enforce the law and protect the victims. Officers have a duty to protect victims under Article 5.04 CCP.
 3. Officers responding to a disturbance call where the suspect is present will arrest and charge the suspect with all applicable family violence offenses.
 - a. If the officer has probable cause to believe a crime has been committed.
 - b. If the victim's injuries occurred on a previous date, officers may not be able to arrest the suspect at the time the offense is reported (a warrant may be issued later.) However, an Offense Report will be completed
 - c. An investigation at the scene will be made to determine the more likely offender if both parties have been assaulted. Arrests of both parties are to be avoided except in extreme circumstances.
 - d. If a supervisor cannot determine who the primary aggressor is at the scene of a family violence assault, and there is adequate and articulable probable cause to believe that each person contributed to the violence, then the officers may make multiple arrest.
 - e. The facts leading to the decision not to make an arrest must be fully documented in the offense report.
 4. Arresting officers should make it clear to offenders that the State is filing the charges against them and that the victim will be treated as a witness in the case, with all the rights afforded them as both a victim and a witness under State law.
 5. Investigating officers refer victims to the Family Violence Unit for counseling services.
 6. Officers responding to a family violence call where the suspect is not present and cannot be reasonably located will:
 - a. Investigate and make applicable report(s) and attempt to obtain statements from the victim and witnesses; and
 - b. Tell victims that based on the circumstances of the case, charges may be filed by the State and an arrest warrant may be issued at a later date.
 7. Photographs shall be taken if the victim has visible injuries. Photographs should also be taken of areas where the offense occurred if there is property damage or other evidence to help indicate an assault has taken place (bloody towel, etc.).
- C. Further Detention of Certain Persons (Art. 17.291 C.C.P.)
1. The Chief of Police has authorized Police Officers to sign an affidavit to hold a suspect for four (4) hours if there is probable cause to believe the violence will continue if the person is released from jail.

2. The hold may be extended to twenty-four (24) or forty-eight (48) hours if a written order is obtained from a magistrate who concludes the violence would continue if the suspect is released. The affidavit for the Magistrate's Order for further detention must be signed in front of a notary public.
3. A copy of the affidavit or court order is given to the County TLET Operator or County Booking Tech. when a cooling down period is in effect.

D. Magistrate's Order for Emergency Protection (Art. 17.292 C.C.P.)

1. A Magistrate's Order for Emergency Protection can be issued when the arrested person appears before a Magistrate at the arraignment for an offense involving family violence or offense under Section 42.072 of the Penal Code.
2. Emergency Protective Orders (E.P.O.) are effective up to ninety-one (91) days after they are issued and are criminally enforceable under Section 25.07 of the Penal Code.
3. Officers will complete an E.P.O. when serious bodily injury has occurred or when a deadly weapon has been used.
4. If an Officer feels that a family violence case is severe enough to request such an order, the officer will complete a Request for Issuance of Magistrate's Protective Order form (forms are at the County Jail) and a TCIC data entry form. The Officer will give the completed forms to the jailer.
5. If a detective wants to request an emergency protective order on a suspect who is wanted on an assault or other warrant, the detective completes the necessary paperwork and has it attached to the warrant in Records. Upon the suspect's arrest, a Record's Clerk faxes the application(s) and warrant to the County Jail. The arresting officer will fill in the arrest date on the application and will review/fill in any blanks that were omitted by mistake. The arresting officer will give the application to the booking clerk.

E. Reporting

1. Officers make an offense report on all cases believed to involve family violence per Code of Criminal Procedure, Art. 5.05. The report will include:
 - a. Names of suspect and complainant.
 - b. Date, time and location of the incident.
 - c. Visible or reported injuries.
 - d. Description of incident and a statement of its disposition.
 - e. Description or information on photographs taken documenting injuries and/or damages.
 - f. Any weapons used.
 - g. Any information required to complete Department offense forms (i.e. Officers dictate Family Violence in parenthesis in the offense title).

2. Officers will complete the Family Violence Reports required by DPS.
 - a. Officers dictate information as it is required on the family violence report form. Officers are to dictate the section of the report they are in before giving the information in that section.
 - b. Family Violence Report forms are not completed when responding to domestic disturbances unless an offense has been committed.
 - c. Offenses that require a form to be completed are listed on the Family Violence Report.
3. The Police Transcriptionist is responsible to:
 - a. Complete form as dictated by officers using a pencil or black ink pen.
 - b. Initial form at bottom and place in appropriate tray.
 - c. Notify Records Shift Supervisor if Family Violence Report is not dictated.
 - d. Indicate at the completion of the narrative when a Family Violence Report is completed.
4. The Records Supervisor is responsible to send indicators for incomplete Family Violence Reports to the officer along with the incomplete form to be completed by the officer.
5. The Support Services Division maintains an adequate supply of Family Violence Report forms and orders more when necessary.
6. Patrol and Detective Supervisors who review family violence offense report who find that the Family Violence Report has not been completed, require the officer to complete the Family Violence Report. After completing the Family Violence Report, the officer will turn the report in to the back desk.

F. Protective Orders

1. Distribution, Filing and Computer Entry
 - a. All Protective Orders are forwarded to the PST who distributes:
 - 1.) Copies to each shift folder, the dispatch office and the Family Violence Unit.
 - 2.) The original order to SSD for filing and review as necessary.
 - b. Dispatchers maintain a reduced copy of the protective orders with the:
 - 1.) Name of subject of order
 - 2.) Name of person requesting order
 - 3.) Effective date of order
 - 4.) Expiration date of order

5.) Summary of order

- c. Dispatchers enter information in the premise history file of the computer on all addresses protected by the order that are inside the Waco city limits.
- d. Dispatchers also enter certain protective order information into TCIC/NCIC following SSD procedures.

2. Enforcement

- a. Dispatchers check and advise officers if an order is on file and whether the order is enforceable.
- b. On arrival at the scene, officers verify if an order is on file and determine if a violation of the order has occurred.
- c. Officers are responsible to determine whether a protective order is enforceable prior to making an arrest. Ex-Parte Orders are only enforceable by arrest if it has been served on the person. Magistrate's Emergency Orders or full Protective Orders are enforceable by arrest.
- d. On scene arrests for Violation of Protective Order (Penal Code 25.07) are as follows:
 - 1.) Officer must arrest without warrant if offense is committed in his presence.
 - 2.) May arrest, if offense is not committed in his presence, if:
 - a.) A complaint/desire to prosecute and a written statement has been signed by the complainant, or
 - b.) The person presents an on-going threat to the victim's safety
 - 3.) If the complainant has a copy of an order, officers determine if the order is a current order issued by a District Court Judge or an emergency order issued by a magistrate.

G. Family Violence Calls Involving Department Employees

- 1. A Patrol supervisor will investigate and make the primary report for family violence calls involving Waco Police employees. Assisting officers will make supplement reports as needed.
- 2. The supervisor is responsible for notifying the employee's chain of command and also to ensure the offense and supplement reports are placed in the secure section of the computer system.
- 3. The supervisor will make the arrest and a supplement report if an employee is arrested.

End of General Order 61.13



Waco Police Department General Order



Title: POLYGRAPH EXAMINATIONS

Number: 61.14 Effective: 01/01/2016

Cancels: 61.14 Issued: 11/09/1992

Approved: 
Chief of Police

61.14.01 POLICY

It is the policy of the Department to use the polygraph examination as an investigative tool to supplement background, pre-employment security clearance and criminal investigations. The polygraph is an excellent aid to law enforcement, but not a substitute or short cut to an investigation.

61.14.02 PROCEDURES

A. Polygraph Examiner

1. Is selected according to GO 43.03
2. Makes recommendations to the Chief about the management and setting priorities for the polygraph unit
3. Maintains and controls all polygraph examination results in a secure location for a minimum of two years

B. Department Polygraph Examiner

1. Receive basic polygraph training from a polygraph school approved by the State of Texas Polygraph Examiners Board
2. Are licensed by the State of Texas Polygraph Examiners Board
3. Ensure all examinations comply and are conducted in accordance with the Texas Department of Licensing and Regulation 16 Texas Admin Code 88.74, 35 TexReg 235
4. Give the following types of polygraph examinations only:
 - a. Pre-employment Security Clearance
 - b. Internal Investigation
 - c. Criminal Investigation
5. Conduct no more than two (2) examinations per day unless it is a Specific Accusation Exam and there are numerous suspects on the same case, then three (3) may be given per day

6. Ensure that only one (1) crime is covered during any one polygraph session

C. Examinations are not given to:

1. Persons involved in civil cases
2. Pregnant women
3. Anyone who does not want to or refuses to sign a consent form, but later changes his mind, must have his attorney submit an authorization letter requesting that an examination be given to his client. The authorization is signed by the attorney and client.
4. Any person under seventeen (17) years old, unless a Juvenile Polygraph Consent form has been signed by the Juvenile Judge
5. Employees of other law enforcement or criminal justice agencies involving internal investigations, unless approved by our Chief
6. Persons the examiner believes should not be examined for any justified reason

D. Investigator Responsibilities Prior to Examination

1. Conduct preliminary investigation prior to requesting a person take an examination.
Investigators:
 - a. Do not interrogate within twenty-four (24) hours prior to the examination
 - b. Verify the person is still planning on taking an examination when the exam is scheduled more than forty-eight (48) hours in advance
 - c. Do not give the person crime details (i.e. method of entry, property stolen weapons used, etc.)
 - d. Deliver all case facts to the examiner at least twenty-four (24) hours prior to the exam

E. Examination Responsibilities

1. Examiners are responsible for:
 - a. Consulting investigators concerning questions and case reports
 - b. Ensuring a case investigator is present to observe before giving the exam
 - c. The person's well-being in the polygraph room
 - d. Attempting to learn all details possible on confessions during polygraph process
2. Investigators are responsible for:
 - a. Giving the examiner all needed information for questions

- b. Viewing entire examination
- c. Custody/security of prisoners taking examinations
- d. Taking written confessions of persons confessing to examiner
- e. Follow-up investigation and disposition of the case

F. Pre-Employment Polygraph Question Sheet

1. Personnel and Training Staff provide a copy of the **question sheet** to applicants when they receive an application.
 - a. Applicants review the questions in the presence of staff
 - b. Staff ensures clarification on any questions by applicants
 - c. Applicants write on the back of the **question sheet** that they have read and understand each test question
 - d. Staff then has the applicants print and staff signs their name as witness
 - e. Personnel and Training forwards the signed form and the applicant's file to the examiner

G. Pre-Employment Security Clearance Polygraph Examinations

1. Are given to every person **before being informed** that they are hired/accepted for employment by the Department
2. Applicants are responsible to tell the complete truth to the examiner during the examination
3. Examiners include in their written report, all areas in which he feels the applicant may be deceptive
4. Examiners forward a report to Personnel and Training
5. Results/opinions of examinations are only available to the Chief and personnel involved in decisions on whether to hire an individual

H. Internal Investigation Polygraph Examinations

An Internal **Investigative Polygraph Examination** is conducted when:

- a. Upon recommendation of **Professional Standards and Conduct**, the Chief or his representative may order that an examination be administered to either sworn or civilian employees of the Department.

End of General Order 61.14



Waco Police Department General Order



Title: **BURGLAR/HOLDUP ALARMS** Number: 61.15 Effective: 03/01/2010

Cancels: 61.15 Issued: 11/09/1992

Approved: _____

Chief of Police

61.15 PROCEDURES

A. Definitions

1. Alarm site: shall mean a single premises or street address served by an alarm system under the control of one owner.
2. Alarm system: shall mean an assembly of equipment (or a single device, such as a solid state unit which plugs directly into a 110 volt AC line) arranged to signal the presence of a hazard requiring urgent attention to which the department is expected to respond. Systems commonly referred to as "burglar alarm systems" and "panic/alert systems" are included. "Alarm system" does not include:
 - a. an alarm installed on a vehicle, unless the vehicle is permanently parked at a site; or
 - b. an alarm designed to alert only the inhabitants of a premise which does not have an alarm monitored by the Department or by an alarm company..
3. Burglar alarm system: shall mean an alarm system signaling an entry or attempted entry in the area protected by the system.
4. Holdup alarm system: shall mean an alarm system signaling a robbery.

B. Alarm Response

1. Dispatch will send a minimum of two officers to alarms (G.O. 61.16).
2. Officers will be dispatched to a physical address when responding to alarms. If the actual address is unknown or incorrect, the officer will ascertain the correct address and furnish the location to Dispatch for update of their records.
3. Dispatch will advise responding officers whether the alarm is a hold-up or burglar alarm and, if known, the origin of the alarm (i.e. front door, glass breakage).
4. Dispatch will advise officers if the representative of the alarm site is responding. If needed, officers can request dispatch notify a representative to respond.

5. Officers need to check on-scene (10-23) when responding to alarms.
6. On hold-up alarms, Dispatch will contact the alarm user to come out and meet officers upon arrival. Dispatch should provide officers with the name and description of said person.
7. Officers will make a reasonable effort to determine the cause of the alarm by physically checking the location for the cause or indication of criminal activity.
8. After investigation, the primary officer advises Dispatch of the alarm disposition.

C. Alarm Disposition

1. Valid alarms

- a. Attempted illegal entry of which there is visible evidence, illegal entry or other demonstrable criminal activity (Disposition Code RPT)
- b. Failure or malfunction of the monitoring equipment located in the department (alarm monitor) (Disposition Code EWV)
- c. Alarms caused by hurricanes, tornadoes, earthquakes, gale force winds or higher, thunderstorms or electrical storms, utility power surges or surges through power lines (Disposition Code WMV)
- d. Alarms occurring on a repeated basis without apparent cause, but where the Department is convinced that continued effort is being made to correct the malfunction (Disposition Code EMV)
- e. Alarms intentionally caused by a person acting under a reasonable belief that a need exists to call the Department (Disposition Code SPV)
- f. Cancellation of the alarm by the alarm company PRIOR to officer arrival (Disposition Code EEV)
- g. Alarms resulting from the service of an alarm system by an alarm company when prior notice of such service, including date and time, has been furnished to the Department (Disposition Code EMV)
- h. Alarms caused by an animal, provided actions of the animal were beyond the control and prevention of the alarm user (Disposition Code AV)

2. Non-valid alarms: alarms with no evidence of criminal activity to include:

- a. Mechanical or electronic failure, improper installation or malfunction of alarm system (Disposition Code EMNV)
- b. Error/negligence/improper use by the alarm user or their agents (Disposition Code EENV)
- c. Other, does not fall in valid alarm category above (Disposition Code Other NV)

- d. It is not known what caused the alarm to activate and the officer feels it is not valid (Disposition Code UNKNV)

D. Administrative Duties

1. Community Outreach and Support Section will:

- a. implement and maintain an accurate record system for alarms pursuant to the City Alarm Ordinance.
- b. acquire officer reports and CAD alarm dispositions for review and final determination of an alarm classification as valid or non-valid. The event entry data is maintained as part of the alarm user's file.
- c. send letters to an alarm user advising them of non-valid alarms including the date and time of the alarm. The letter advises the alarm user of the non-valid disposition, how many they have had this calendar year and options for appealing the disposition.
- d. alarm users may present evidence to the Community Outreach and Support Section to refute the non-valid dispositions. If evidence indicates an error was made on the alarm disposition, it is reclassified as a valid alarm and the alarm user is notified of the reclassification. The 10-day appeal period to the City Manager's Office is not extended during this process.
- e. send letters to alarm users of excessive non-valid alarms and of the assessment penalty. A copy of such letters will be forwarded to the City Water Department for collection of such penalty fees.

2. Appeal of Non-valid Alarms

- a. If an alarm user is not satisfied with an alarm disposition, an appeal may be made to the City Manager's Office within 10 days of the date of the notice received from the Community Outreach and Support Section. In the notice of appeal, the user sets out the specific basis for contesting the non-valid disposition decision.
- b. A hearing is held within a reasonable time after the notice of appeal is filed. During the period of appeal, the alarm is not considered in determining the number of non-valid alarms occurring during the calendar year. At the conclusion of the hearing, the hearing officer provides the alarm user and the Department with written notice of the hearing disposition.
- c. The determination of the City Manager or designee is final.

End of General Order 61.15



Waco Police Department General Order



**Title: DISPATCHING/NUMBER
OF OFFICERS AT SCENE**

Number: 61.16 Effective: 01/01/2016

Cancels: 61.16 Issued: 11/09/1992

Approved:

Brent Edmond
Chief of Police

61.16.01 PROCEDURES

A. Responsibilities

1. Dispatchers

- a. Obtain adequate information from the reportee and dispatch the proper number of officers
- b. Dispatch beat officers as primary officers, when available

2. Officers

- a. May call for assistance, but cancel or dismiss assisting officers when no longer needed
- b. Only officers dispatched or assigned respond to the scene of an incident. Officers in the area that can assist give their location to the dispatcher but remain a few blocks from the scene in readiness

3. Supervisors

- a. Assist and direct subordinates in assigning the number of officers to an incident
- b. Send or cancel additional assistance when needed
- c. Provide necessary back-up as needed

B. Incidents Requiring Two or More Officers

1. A minimum of two officers are dispatched to the scene when one of the following is in progress: (i.e., Field Training Officers and officers in training are considered two officers)
 - a. Murder
 - b. Assault (any type)
 - c. Sexual assault or other sex crime
 - d. Robbery

4. A sufficient number of officers are dispatched to control a situation with a minimum risk of injury to officers or citizens or any time there is reason to believe two or more officers are needed.

C. Incidents Requiring Only One Officer

Many requests for police service are routine and many crimes are reported after the offender has left the scene and can be safely handled by one officer.

D. Incidents Requiring a Supervisor

1. The following types of incidents require dispatching a supervisor:

- a. Homicides and suicides
- b. Robberies
- c. Major accidents
- d. Shootings, knifings, etc.
- e. Major fires
- f. Escapees, suspects on foot
- g. Hostage situation; barricade persons (SWAT notified at request of on-scene supervisor)
- h. Major disturbances
- i. Drownings
- j. Child abuse/neglect
- k. Bomb threats
- l. Missing elderly, disabled or juvenile under 12
- m. Questionable death
- n. Sexual assault
- o. Officer needing emergency assistance

2. Supervisors are notified of calls involving a weapon, but are not limited to dispatch.

3. In most incidents of these types, the situation at hand is resolved in a short time. The purpose of this procedure is to address those incidents which remain in progress for extended periods of time and require special procedures or personnel deployment.

E. Incidents Not Requiring a Unit to be Dispatched

1. Industrial Accidents

- e. Burglary
 - f. Theft
 - g. Swindle
 - h. Forgery
 - i. Shoplifting
 - j. Burglary of motor vehicle
 - k. Illegal possession or delivery of drugs
 - l. Illegal possession or consumption of alcohol
 - m. Drunkenness
 - n. Fight
 - o. Disturbance
 - p. Mentally disoriented/suicidal person
 - q. Prowler or window peeper
 - r. Bomb threat
 - s. All incidents involving a firearm
 - t. Suspicious person
 - u. Burglar alarm
 - v. When reportee is excited and the nature of the incident is unknown
 - w. 911 calls when reportee, nature of call and type of emergency is unknown. Officers responding to 911 calls alleging violence will make a reasonable effort to personally contact the complainant.
 - x. Loud music/party
 - y. Criminal Mischief
 - z. Missing elderly, disabled or juvenile under 12
2. The above incidents are considered in progress when there is a reasonable possibility that:
- a. The offender is still at or near the scene
 - b. There may be a reoccurrence of the incident
 - c. An element of danger to persons or officers still exists
3. A minimum of two officers are dispatched to places where alcoholic beverages are sold for on premise consumption, regardless of the nature of the call.

- a. Industrial accidents are defined as accidents that occur on private property that are non-criminal in nature (i.e. shopper falls in a department store, worker suffers injury at a factory, worker falls from the roof at construction site, etc.).
- b. Unless an industrial accident results in death, the Department will not investigate it but provides any assistance requests. If an officer is dispatched to provide assistance, the officer makes the decision whether or not a report is made concerning the situation. If a death occurs, a report will be made.
- c. If a request for assistance is determined to be an industrial accident, the caller is informed of the Department policy.
 - (1). If assistance is declined, a unit is not sent and the call is closed out.
 - (2). This does not relieve an officer from the call to provide assistance/services consistent with serving the best interest of the community.
2. Gas drive off information from convenience stores is for general information. Officers check the area around the store and contact attendant after area has been checked.
3. 911 hang ups when a call back can be made to security officers or central location: (i.e. major business, mall, hospitals, etc.)
4. Suspicious persons and vehicles when the description and complainant are unknown.
 - a. Dispatchers broadcast this for general information
 - b. Dispatches try to get additional information about description and why the person or vehicle is suspicious
 - c. If the complainant requests to be contacted, a unit is dispatched
5. Injured Animal calls are referred to Animal Control
6. Recovered Stolen Vehicles Outside the City
 - a. Outside agency recovering the vehicle processes the vehicle.
 - b. Dispatch provides the outside agency with owner information and assists in notifying the owner if necessary
7. Persons calling about found drug paraphernalia are advised to call DES during normal business hours.
8. Calls that are better handled by another agency (i.e. information about suspicion of suicidal intent; refer to MHMR).

End of General Order 61.16



Waco Police Department General Order



**Title: RESPONDING TO HOLD UP
ALARMS/ROBBERY IN PROGRESS**

Number: 61.17 Effective: 01/01/2016

Cancels: 61.17 Issued: 04/02/1997

Approved:

Bruce E. Daman
Chief of Police

61.17.01 POLICY

A robbery in progress is one of the most dangerous calls police officers encounter. It is important that responding officers exercise caution and stay aware of the situation to minimize the dangers involved. The Department has procedures for responding to hold up alarms and robberies in progress in order to provide maximum safety for responding officers and citizens at the scene of an alarm. A robbery is considered in progress if a hold up alarm is received or if reported by a third party while the offense is occurring.

61.17.02 PROCEDURES

A. Dispatcher's Responsibilities

1. Dispatches a minimum of two (2) officers and notifies the district supervisors
2. Obtains descriptive information on suspects/vehicles to be broadcast to other units
3. If the business is a financial institution, i.e. bank or credit union, call the business identifying yourself as a police dispatcher and ask:
 - a. Is a robbery occurring
 - b. If so, are the suspects still on the premises
 - c. Can you give me further information without jeopardizing your safety
4. Dispatched officers are notified immediately of results of phone call to the business
 - a. If the suspects are still on the premises, officer are notified immediately
 - b. If alarm is false, the owner/representative is asked to meet the officers in front of the building (provide description of owner/representative's clothing)
 - c. If alarm is valid and suspects are no longer on the premises, obtain description of suspects and direction of travel.
5. Communications personnel notify the district supervisor and the shift commander of robberies occurring at financial institutions.

B. Responding Officer's Responsibilities

1. Respond quickly, but silently (no siren) to the business and be alert for possible suspects leaving the area of the alarm or possible robbery.
2. Respond to opposite corners of the business or to locations where all entrances/exits can be observed and utilize cover and concealment upon arrival and approach outside of the location.
3. Observe activity in and around the building and do not leave a cover position or enter the business until an employee of the business has come out unless necessary to preserve the life of a citizen or responding officer.
4. If after proper identification, the business employee relates that the alarm is false and the officers feel that there are no conditions present which indicate a problem or that the employee is under duress, the alarm is considered false.
 - a. Two (2) officers accompany the employee inside the business for verification. Extreme caution is used when entering the building.
 - b. After checking the business with the employee and the officers determine the alarm is false, the employee's name is given to Dispatch to clear the call.
5. In the event that hostages are taken, the safety of the hostages takes precedence over apprehension of the offender. The supervisor or primary officer secures the area and arranges for tactical officers to be notified.
6. Depending on the situation (i.e. type of business, size of building), the field supervisor may have dispatchers call the business. Convenience stores, fast food establishments or other businesses where the employees may be in direct contact with the offender should not be called.

End of General Order 61.17



Waco Police Department General Order



Title: DELIVERY OF MESSAGES

Number: 61.18 Effective: 01/01/2016

Cancels: 61.18 Issued: 11/09/1992

Approved:

Brent A. Roman
Chief of Police

61.18.01 POLICY

Only emergency or death messages are delivered by the Department.

61.18.02 PROCEDURES

- A. Dispatchers will take all available information from the caller and enter the information into CAD. Call type DELMSG will be used for emergencies other than a death notification and will be handled by a patrol officer. Call type DTHMSG will be used for death notifications and be handled by a patrol supervisor.
- B. Upon contact with citizen, the responder identifies himself and our agency.
- C. The responder relays relevant information verbally or in writing and offers assistance in calling family, minister, etc.
- D. The responder may leave when situation is under control.
- E. If the responder is unable to contact the citizen, a note is left in a conspicuous place for the citizen to call the Department. The responder notifies Dispatch that contact was not made and a note was left.

End of General Order 61.18



Waco Police Department General Order



Title: CRIMINAL TRESPASS

Number: 61.19

Effective: 04/01/2011

Approved: 
Chief of Police

Cancels: 61.19

Issued: 04/02/1995

61.19.01 POLICY

The Department assists property owners and/or business operators in controlling who may enter and remain at a location or on a premise through enforcement of the criminal trespass law. The enforcement requires the cooperation and assistance of the property owner and/or business operator.

61.19.02 DEFINITIONS

Trespass Warning: An oral or written notification given to a person to leave the property or business of another and/or to not return.

Authorization for Criminal Trespass Warning: A pre-printed form filled out by a person having authority to warn someone away from a property. This form gives officers the authority to enforce Criminal Trespass violations in the absence of the owner and when the property is closed for business.

Authorized Person: The owner of a property or a business. This also includes other persons entitled to act on behalf of the owner during the owner's absence (relative, manager, security officer, employee, attorney, etc.)

Field Interview Form: The Field Interview Form is used to document Criminal Trespass warnings given to any person.

Duration of Warning: Warnings are considered effective for as long as the person in control of the property wants the warning enforced. The warning may be cancelled if the property is sold or a new owner takes control and no longer wants the warning enforced.

61.19.03 CRIMINAL TRESPASS INVESTIGATIONS

- A. Penal Code Section 30.05(b)(2) describes the legal requirements that must be met by citizens when posting "No Trespassing" notices.
- B. When an authorized person wants someone warned away from a place of business or other property, officers are to:
 - 1. warn the suspect away from the premises on behalf of an owner or other authorized person;
 - 2. complete a Field Interview Form containing the appropriate suspect information, including the name of the person authorizing the warning;
 - 3. have the suspect sign the warning form, giving the suspect the pink copy;

4. turn the completed warning form in at the end of the officer's shift.
- C. If the warning was made by security personnel, include the security company's name, the security officer's name and their identifying/contact information on the back of the warning form.
- D. Criminal trespass Field Interview warning forms are sent to Dispatch and entered into the CAD Premise and the Records ADDR files.
- E. If a person later wants to cancel a Trespass warning completed by an officer that has been entered into the police computer, the citizen may contact an SSD employee at the front counter of the Police Department.

61.19.04 ENFORCEMENT PROCEDURES

- A. Warnings are generally given to first time Trespassers who are willing to leave an owner's property unless the circumstances justify making an arrest.
- B. If enforcement action occurs based on a previous trespass warning given to the suspect, the previous warning should be documented in the WPD computer system or documented by the owner or other authorized person to the officer's satisfaction.
- C. Criminal Trespass may be enforced against any person who does not have a legal right or possessory interest in the premises.

61.19.05 AUTHORIZATION FOR CRIMINAL TRESSPASS WARNING FORM

A. Trespass Authorization Forms:

1. These forms are signed by authorized persons and are used to assist officers in determining whether or not criminal trespass charges should be filed against unwanted persons on someone's property.
 2. Blank Authorization for Criminal Trespass Warning forms are kept in the Patrol Office. Officers should carry blank forms to be filled out and turned in when appropriate.
 3. Once completed, these forms are sent to Dispatch for entry into police records. After the information is entered into the Police computer, the original form is sent to the Records Section for filing/storage.
 4. If a property owner has several locations that they want individuals warned from, a separate form will be completed for each individual address.
- B. An Authorization for Criminal Trespass Warning form may be cancelled at any time by the person who signed the form.
1. A citizen may contact the SSD at the Police Department to cancel an Authorization Form the citizen previously filled out. The SSD employee verifies the citizen's identity before completing the form to have the Trespassing Authorization Form's information removed from the Department's records.
 2. The original form and the cancellation form are stapled together and kept on file for 1 year.

End of General Order 61.19



Waco Police Department General Order



Title: **HANDLING RUNAWAYS
AND MISSING CHILDREN**

Number: **61.23** Effective: **05/18/2015**

Cancels: **61.23** Issued: **11/09/1992**

Approved:


Chief of Police

61.23.01 POLICY

The Purpose of this policy is to establish guidelines and responsibilities regarding this agency's response to reports of runaways and missing children.

- A. It shall be the policy of this agency to thoroughly investigate all reports of runaways and missing children. Additionally every child reported missing to this agency will be considered **at risk** until significant information to the contrary is confirmed.
- B. Jurisdictional conflicts are to be avoided when a child is reported missing. If a missing child either resides in, or was last seen in this jurisdiction, this agency will immediately initiate the required reporting process unless one has already been initiated by another agency in which case this agency will assist.. If a child resides in this jurisdiction and was last seen in an adjacent jurisdiction, but the law-enforcement agency covering that jurisdiction chooses not to take a missing-child report, this agency will assume reporting and investigative responsibility.
- C. Questions concerning parental custody occasionally arise in relation to missing-child reports. Since the safety of the missing child(ren) is paramount, members of this agency will open a case when it can be shown the child has been removed, without explanation, from his or her usual place of residence. It shall be the policy of this agency to accept the report of a missing child, even if custody has not been formally established. If custody has not been established by the Court, then the law-enforcement responsibility is to ensure the child is safe only.

61.23.02 DEFINITIONS

- A. The term **child** is defined in the Texas Family Code of Criminal Procedure § 63.01. It defines a child as a person under 18 years of age.
- B. The definition of the offense of **runaway** in the Texas Family Code § 51.03 is considered conduct in need of supervision. This conduct includes the voluntary absence of a child from the child's home without the consent of the child's parent or guardian for a substantial length of time or without intent to return. For the purposes of this subsection, a "Child" does not include a person who is married, divorced, or widowed.
- C. The term **missing child** refers to a person who is
 - 1. Younger than 18 years of age and
 - 2. Whose whereabouts are unknown to his or her custodial parent, guardian or responsible party

3. Not a runaway child

61.23.03 RUNAWAY CHILD

- A. Except as described in subsection B. below, officers will be dispatched to all reported runaways in our jurisdiction, and will conduct an investigation, follow any investigative leads, and complete a priority offense report.
- B. The employee making the report is responsible for ensuring that the runaway is entered into NCIC immediately, but in every case, within two hours after the necessary information has been received.
- C. Officers responding to calls of a runaway will determine if the runaway was in foster care and note the response in their offense report. If the juvenile is in foster care or in conservatorship of the DFPS, the officer will determine how many times the juvenile has been reported as a runaway. If it is determined that the juvenile has already been reported as a runaway on at least two previous occasions, the officer will notify TLETS personnel that the Form 8 entry should be flagged as HIGH RISK and notify the PST. TLETS personnel are responsible for properly classifying the entry, and ensuring that it is entered immediately into TCIC/NCIC. The PST will ensure that the report is typed immediately, and the follow up detective will verify that the above process has been followed.
- D. Runaway cases are investigated by the Crimes Against Children Unit.
- E. Officers locating first-time runaways will return them to their parent, guardian, or Child Protective Services (CPS). Runaways taken into custody for subsequent offenses will be released to the custody of the McLennan County Juvenile Detention Center employees.
- F. Officers locating a runaway child will immediately ensure that an NCIC cancellation form is made and will complete a priority supplement report. Officers responding to a report of a runaway attending class at the school where they are enrolled will:
 - 1. Verify that the child is in class
 - 2. Contact the parent/guardian
 - 3. At the parent/guardian's request, the child may be left at school or released to the parent
 - 4. If the parent/guardian cannot be contacted, or does not authorize the release described in (2) above, the child is transported to the JDC
 - 5. Complete a priority supplement report and ensure that an NCIC cancellation is completed

61.23.04 MISSING CHILDREN

- A. Missing child reports are not taken over the telephone and an officer and supervisor will be immediately dispatched to contact the reportee in each case.
- B. Officers will conduct an investigation, follow any investigative leads, and make a priority offense report if the child is not located or if a criminal act is suspected.

- C. The employee making the report is responsible for ensuring that the missing child is entered into NCIC immediately, but in every case, within two hours after the necessary information has been received.
- D. Missing children cases are investigated by the Special Crimes Unit.
- E. Officers locating a missing child will immediately provide, if necessary, for his or her physical and emotional well-being. Custody of the child will be given to the parent, guardian, a member of the department's Victim's Services Unit, or CPS. It is the recovering officer's responsibility to have the child removed from the TCIC/NCIC database, and to make a priority supplement report (Form 2 if the child is missing from outside the City of Waco).

61.23.05 MISSING CHILDREN-17 YEARS OF AGE

A. A priority report will be made in the following situations:

1. The child leaves home and whereabouts are unknown to the child's legal custodian, the circumstances indicate that the child did not voluntarily leave and the taking of the child was not authorized by law. ***Make appropriate report (kidnapping, interference with child custody, etc.) and enter the child into NCIC.***
2. The child voluntarily leaves, but the child is under proven physical or mental disability and because of one or more of these conditions is subjected to immediate danger or is a danger to others. ***Make a report titled Missing Child-Welfare Concern and enter child into NCIC.***
3. The child leaves home and whereabouts are unknown to child's legal custodian, the circumstances of the absence indicate that the child left home voluntarily. ***Make a report titled Missing Child-Voluntary and enter child into NCIC.***
4. The custodian determines the child's location after filing a report and notifies the Department. In cases where the child is not in danger, there is no duty to continue the investigation or to take possession of the child and return him or her to the custodian. ***Make a supplement report and ensure that NCIC entry is cancelled.*** If action is needed to safeguard the child's welfare (the child is under proven physical or mental disability and because of one or more of these conditions is subject to immediate danger or is a danger to others), officers will go to the child's location and detain the child until the custodian or CPS can arrive. ***Make a supplement report and ensure that NCIC entry is cancelled.***
5. Any other situation in which an officer or employee believes the situation needs to be documented.

B. A report may not be needed in the following situations:

1. The child leaves home and whereabouts are known to the child's legal custodian, and the circumstances of the absence indicate that the child left home voluntarily. ***Do not make a report.***
2. The child leaves home, the whereabouts are known to the child's legal custodian, but circumstances indicate that action is needed to safeguard the child's welfare (the child is under proven physical or mental disability and because of one or more of these conditions is subject to immediate danger or is a danger to others). Officers will go to the child's location and detain the child until the custodian and/or CPS can arrive. ***Do not make a report unless needed to***

document detention.**C. Use of force to take possession of a child**

1. The Texas Code of Criminal Procedure § 63.009g requires law enforcement officers locating a missing 17 year-old child to take the child to their custodian or to CPS. Officers may use force to detain a missing child who wishes to elude protective custody, but only to the degree the officer reasonably believes is necessary to safeguard the child's welfare consistent with the purpose of the Code.
2. Force should be used as a last resort, as the purpose of taking possession of the child is to protect the child who has not committed an offense and is not under arrest.
3. An officer is justified in confining a child until a guardian can be located or CPS is contacted. However, the child is not under arrest, and cannot be confined in a jail facility.

D. Juveniles under the age of 17 will continue to be handled per current policies and laws.

61.23.06 AT-RISK MISSING CHILDREN

A. A missing child will be considered **at risk** when one or more of the **risk factors** noted in paragraph B are present.

B. **Risk Factors** refer to a missing child who is:

1. 13 years of age or younger, **or**
2. Believed or determined to be experiencing one of more of the circumstances listed below:
 - a) Is out of the zone of safety for his or her age and developmental stage.
 - b) Has proven mental or physical disabilities.
 - c) Is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
 - d) Has been absent from home for more than 24 hours before being reported to law enforcement as missing.
 - e) Is in a life-threatening situation.
 - f) Is in the company of others who could endanger his or her welfare.
 - g) Is absent in a way inconsistent with established patterns of behavior and the deviation cannot be readily explained.
 - h) Is involved in a situation causing a reasonable person to conclude the child should be considered at risk.

C. Actions upon determination of risk factors

1. If it is determined that risk factors are involved in the report of a missing child, an expanded

investigation, including the use of all appropriate resources, will immediately commence.

- D. If a parent or legal guardian has custody of a child in violation of a court order (except a protective order, CPS order, or condition of bond) and the child is voluntarily with that person, the person did not use force to obtain the child, the person is not attempting to flee the jurisdiction of the order (state or country), that person has made notification to the complainant parent, and no other risk factors other than age are met, then a child custody packet may be completed. If the above conditions are not met, an officer will conduct an investigation and make a report if it appears that a criminal offense has been committed.

61.23.07 PROCEDURES

A. Communications personnel receiving the report of a missing child shall:

1. Determine if circumstances of the report meet the definition of a missing child.
2. Dispatch an officer to the scene as a priority one call.
3. Notify a supervisor.
4. Transmit the appropriate radio alerts and other notifications.
5. Search agency records for related information, specifically any records such as those pertaining to the family, the place where the child was last seen, and the child's residence.
6. Safeguard all pertinent records.
7. Activate established protocols for working with the media – including activation of the **AMBER ALERT** system (at the direction of Special Crimes personnel) and/or other immediate community-notification methods when appropriate.

B. The initial officer assigned to the report of a missing child shall:

1. Respond promptly to the scene of the report activating their patrol-vehicle mounted video camera if circumstances warrant.
2. Interview the parent(s) or person who made the initial report.
3. Obtain a detailed description of the missing child including photo(s) and videos.
4. Confirm the child is in fact missing.
5. Verify the child's custody status.
6. Identify the circumstances of the missing episode.
7. Determine when, where, and by whom the missing child was last seen.
8. Interview the individual(s) who last had contact with the missing child.
9. Identify the missing child zone of safety for his or her age.

10. Make an initial assessment of the type of incident.
11. Obtain a description of the suspected abductor(s) and other pertinent information.
12. Determine the correct NCIC Missing Person File category and ensure notification is promptly transmitted.
13. Provide detailed descriptive information to dispatch and other responders for broadcast updates.
14. Identify and separately interview everyone at the scene.
15. Conduct an immediate, thorough search of the scene.
16. Protect the scene, area of child's home, and areas of interest as potential crime scenes.
17. Inquire if the child has access to the Internet, cell phone, and/or other communications device.
18. Prepare necessary reports and complete appropriate forms.

C. The **supervisor** assigned to the report of a missing child is responsible to:

1. Obtain a briefing and written reports from the first responder(s) and other agency personnel at the scene.
2. Determine if additional personnel and resources are needed to assist in the investigation.
3. Consider activation of the **AMBER Alert** system and/or other immediate community notification methods.
4. Consider establishing a command post.
5. Organize and coordinate search efforts.
6. Ensure all required notifications have been made.
7. Establish a liaison with the victim family.
8. Confirm all agency policies and procedures are observed.
9. Manage media relations and contact PIO.

D. The **investigator** assigned to the report of a missing child shall:

1. Obtain a briefing from agency personnel at the scene.
2. Verify the accuracy of all descriptive information.
3. Initiate a neighborhood investigation (if not already done).
4. Obtain a brief history of recent family dynamics.

5. Explore the basis for any conflicting information.
 6. Complete all remaining key investigative and coordination steps.
 7. Implement effective case management.
 8. Evaluate the need for additional resources and specialized services.
 9. Update descriptive information.
 10. Monitor media relations.
- E. An officer assigned to the report of an **unidentified person**, whether living or deceased, who appears to be a child, shall:
1. Obtain a complete description.
 2. Enter the unidentified child's description into the NCIC Unidentified Person File.
 3. Use all available resources to aid in identification of the child.
 4. Cancel all notifications after identification is confirmed.
- F. An officer assigned to the **recovery or return** of a missing child shall:
1. Verify the located child is, in fact, the reported missing child.
 2. Secure intervention services, if appropriate.
 3. Arrange the return of the child to his or her legal guardian or an appropriate children's shelter in the case of a missing child from within the department jurisdiction who has been located and who is not wanted on a warrant or other law violation.
 4. Place the child in custody and transport him or her to the Juvenile Detention Center for admission in the case of a runaway from another jurisdiction or from out-of-state who has been located and for whom a warrant exists or for whom an NCIC missing-person "hit" is verified.
 5. Complete the appropriate supplemental reports and cancel all outstanding notifications.

End of General Order 61.23



Waco Police Department General Order



Title: CHILD ABUSE

Number: 61.24 Effective: 01/01/2016

Cancels: 61.24 Issued: 05/15/1998

Approved:

Brent E. Bowman
Chief of Police

61.24.01 POLICY

Officers investigate and shall make a report when there is cause to believe a child has been abused or neglected. Officers will act to protect the victims, enforce the law, and make lawful arrests of violators.

61.24.02 DEFINITIONS

Abuse/Neglect - As defined by the Texas Family Code Sec. 261.001

Child - The definition varies with various statutes. For the purpose of this order, a "child" is considered any person under the age of 17.

61.24.03 PROCEDURES

A. The following offenses relate directly to child abuse:

1. Homicide
2. Sexual Assault and Aggravated Sexual Assault if the victim is younger than 17
3. Indecency with a Child
4. Sexual Performance of a Child
5. Possession or Promotion of Child Pornography
6. Injury to a Child
7. Kidnapping if the victim is younger than 17
8. Enticing a Child
9. Unlawful Restrain if the victim is under 17
10. Abandoning or Endangering a Child
11. Leaving a Child in a Vehicle
12. Employment Harmful to Children

13. Sale or Purchase of a Child
14. Advertising for Placement of a Child
15. Agreement to Abduct from Custody
16. Criminal Non-Support
17. Trafficking of Persons
18. Online Solicitation
19. Making a Firearm Accessible to a Child
20. Driving While Intoxicated with a Child Passenger
21. Runaway as defined by Texas Family Code 51.03 and Harboring a Runaway

B. Police Investigation

1. Officers are dispatched to any report of abuse or neglect of a child and take action to protect victims and enforce the laws of this state. (Reports of incidents that did not occur in the City of Waco, and where there is no evidence to be collected OR when the victim is now an adult, may be taken over the phone or by teleserve. Reportees or victims are never referred directly to the CACU unless approved by the CACU supervisor.)
2. On all cases of suspected abuse or neglect of a child, the primary officer contacts Child Protective Services without unnecessary delay.
3. Any supervisor may contact the on-call CACU person for assistance.

C. Crimes Against Children Investigators

1. Investigation follow-up is completed as necessary.
2. Investigate CPS referrals received by or directed to the unit.
3. CACU Investigators may respond to the field in the following incidences:
 - a. Sexual abuse when:
 - (1). A crime scene exists and;
 - (2). The incident occurred within the 96-hour window or other extraordinary circumstances exist.
 - b. Serious physical abuse when the suspect is present and/or a crime scene exists
 - c. Head trauma (shaken baby)

d. Burn injuries

e. Any situation the supervisor on scene feels a search warrant may be needed immediately

f. Any situation in which the CACU supervisor believes would benefit from an immediate response

D. Social Agency Cooperation

1. Officers will respond to requests for assistance from investigators from the Texas Department of Family and Protective Services.

2. Referred reports from the Texas Department of Family and Protective Services assigned the higher priority in accordance with their rules may be directed to a patrol supervisor for an immediate response by officers if:

a. The report alleges an immediate risk of physical or sexual abuse of a child that could result in the death or serious harm to the child by a person responsible for the care, custody, or welfare of the child.

3. Offense and supplement reports may be released to investigators from the Texas Department of Family and Protective Services, or other law enforcement agencies who are determined to have jurisdiction. Any other requests are handled through the Records Division.

End of General Order 61.24



Waco Police Department General Order



Title: **HANDLING JUVENILES**

Number: **61.25** Effective: **07/19/13**

Cancels: **61.25** Issued: **02/21/10**

Approved:

Chief of Police

61.25.01 POLICY

The Department and its personnel comply with all State laws when handling juvenile suspects and offenders in the criminal justice system.

A. Duties of Investigators Handling Juveniles

1. Collect detailed information, facts and evidence and make required reports/documentation.
2. Search and secure crime scenes.
3. Interview victims and witnesses of crimes, collecting the basic information and schedule forensic interviews.
4. Maintain working knowledge of juvenile laws and procedures.
5. Take immediate custody of children in danger of violence or serious injury.
6. Notify parent, guardian or custodian when a child is taken into custody.

61.25.02 CHILD IN CUSTODY

A. An officer may take custody of a child:

1. Pursuant to a juvenile court order.
2. Pursuant to laws of arrest.
3. When probable cause exists to indicate the child has engaged in delinquent conduct or conduct indicating a need for supervision.
4. To protect the child from immediate danger.

B. A child in custody must be advised of his rights by a magistrate and questioned in accordance with the applicable provisions of the Texas Family Code.

C. Juveniles may only be questioned in a designated Juvenile Processing Office: The locations are:

1. 3115 Pine
 - a. The Counseling Offices on the 2nd floor
 - b. The seven (7) Interview rooms on the 4th floor
 - c. The six (6) Interview rooms on the 5th floor
2. 2323 Columbus
 - a. Interview Room across from Receptionist's Desk
3. 1211 Washington
 - a. The Commander's Office

D. When a child is taken into custody, an officer completes one of the following without unnecessary delay and without first taking the child elsewhere:

1. Determine disposition without referral to the County Probation Department
2. Release the child to his parent, guardian, custodian or other responsible adult upon the person's promise to bring the child to the Waco Police Department upon request or Bill Logue Juvenile Center for disposition.
3. Take the child to the Bill Logue Juvenile Center for disposition.
4. Take the child to a medical facility if the child needs prompt treatment.

E. An officer taking a child into custody promptly gives notice of his actions and reasons to the:

1. Parent or guardian
2. County Juvenile Probation Department (may be by offense report).

61.25.03 CR43J AND DETENTION FORM

- A. Patrol Officer or Detective fills out CR43J Form at JDC when the juvenile is booked in.
- B. Officers fax a copy of the CR43J and copy of the detention form to Records. If fax is not working, bring a copy to Records.
- C. Records will place a copy of the form in the Person's or Property Tray so the proper unit is notified.
- D. Records will pick up the completed CR43J, two (2) fingerprint cards and two (2) photos from the Juvenile Detention Center.

- E. Records will prepare the CR43J packet and check it for accuracy then mail the original CR43J Form and one print card to the Department of Public Safety in Austin and send the 2nd print card and photo along with a copy of the CR43J to Records for the juvenile file.
- F. Records personnel will enter the juvenile arrest into the computer.
- G. Within 10 days of a juvenile being taken into custody, Records personnel will notify the appropriate educational facility.

61.25.04 LAWS AND VIOLATIONS ON SCHOOL CAMPUS

- A. Investigators respond only to formal requests by school officer/officials.
- B. Investigators notify school officers of law violations occurring on campus and coordinate efforts with them.
- C. Taking a child into custody at school.
 - 1. Investigators do not take a child from school unless all other alternatives have failed.
 - a. Before taking a child, the investigator notifies the school official in charge.
 - b. The school official makes necessary pick up arrangements.
 - 2. Investigators notify the school official in charge any time a child is taken into custody on or near their school campus.
 - 3. Verify that a parent/guardian/custodian of the child has been notified according to Departmental policy.

61.25.05 REFERRALS TO THE COUNTY JUVENILE PROBATION DEPARTMENT

- A. The department offense/supplement reports are provided by the Detective assigned to do the follow up investigation to Juvenile Probation as soon as practical with:
 - 1. Complete description of circumstances of the alleged delinquent conduct or conduct indicating a need for supervision.
 - 2. Circumstances of taking the child into custody.
 - 3. Name, date of birth, and address of the child.
 - 4. Name and address of the child's parents or guardian and witness.
 - 5. Child's present location.
- B. Information regarding all prior contacts the Department has had with the child.

61.25.06 FILES AND RECORDS

- A. Department files, fingerprints and photographs concerning a child are kept in Records and a second set are sent to a central state depository in Austin, Texas.

- B. Any court orders, Waiver of Rights, lab reports, etc. are kept separate from any adult records.
- C. The Records Section maintains the files and records.
- D. Officers do not retain or maintain files, fingerprints or photographs of juveniles.
 - 1. The supervisor of the Records Section is responsible for the collection, dissemination and retention of juvenile records.
 - 2. Child offenders are fingerprinted or photographed in accordance with Section 58.002 and 58.001 of the Texas Family Code. Probable cause must exist before taking the fingerprints or photographs of the child except that they may be taken with written voluntary consent of the child's parent or guardian and if the child is not in custody - 58.002 (c). The person giving consent should be documented in a report.
- E. On or before December 31st of each year, the Chief of Police shall certify to the McLennan County Juvenile Board that photographs and fingerprints required to be destroyed by Sect 58.001 of the Texas Family Code have in fact been destroyed (See Section 58.002 (b)).

61.25.07 WAIVER OF RIGHTS

- A. A waiver of rights (Sec. 51.09, Texas Family Code) may be obtained after the child has had a Magistrate Warning if, during the investigation of a criminal offense, a law enforcement officer has reason to believe that a child ten (10) to seventeen (17) years of age has committed the offense and evidentiary items such as hair, blood, urine, nails, stomach contents, etc. are needed to complete the investigation.
- B. Waiver requirements outlined in the Texas Family Code do not apply, however, to Consent to Search if the child has been certified to stand trial as an adult and after the Juvenile Court has transferred jurisdiction of the case to criminal court for prosecution.
- C. If a Waiver of Rights cannot be obtained, an Evidentiary Search Warrant should be obtained as outlined in the Texas Code of Criminal Procedure, Chapter 18, and Article 18.02 (10).
- D. Any items obtained from the use of either of the above-mentioned methods, shall meet the same requirements of dissemination and retention as that of fingerprints and photographs as stated in the Texas Family Code.

61.25.08 TRAFFIC OFFENSES/CLASS C MISDEMEANOR

- A. A child (juvenile) ten (10) to seventeen (17) years of age who violates any motor vehicle law or class C offense may be issued a notice to appear in Municipal court.
- B. If a child is driving while intoxicated or driving under the influence of drugs, he is taken into custody and processed according to Department policy.
- C. Issue a Class C Citation to juveniles as outlined for adult offenders. The parent/guardian's name, address, and telephone number is recorded on the back.

61.25.09 TRUANTS

- A. Officers may stop and question those individuals who by their appearance would suggest that they should be in school. Individuals in this case would be defined as juveniles not accompanied by parents or guardians and are individuals 10 years of age or older who have not reached his/her 17th birthday.
- B. If those individuals are found to be in violation of compulsory attendance requirements and can be identified as WISD students, officers will provide WPD Dispatch with the number of violators and transport the students to the nearest WISD secondary campus. Dispatch will contact the WISD-PD dispatcher who will notify the school. The phone number is (254) 752-0585.
- C. Officers will release those students to WISD officials who will meet them at the front entrance of the school.
- D. Notify Dispatch to contact the WISD-PD for transport if it is impractical for the officers to transport.
- E. If the child is not wanted by the Department and is not a truant, the officer completes a Field Interrogation (F.I.) form if the child's date of birth indicated that the child is school age and:
 - 1. The child is a student of WISD but is not confirmed as having sufficient absences to be a truant.
 - 2. The child is not a student of WISD and is either a student in another school district or is not enrolled in any school district; officers only need to complete an F.I.
 - 3. The circumstances of the child's absence from school indicate that a follow-up investigation is needed. The F.I. forms are routed to the CAC Unit for review.

End of General Order 61.25



Waco Police Department General Order



Title: DISPATCH POLICY AND PROCEDURE

Number: 61.28 Effective: 01/01/2016

Cancels: 61.28 Issued: 07/03/1998

Approved:

Bruce E. Doman
Chief of Police

61.28.01 PROCEDURES

A. Command Structure/Non-Commissioned Employees

1. Non-commissioned police employees do not have line authority over police field operations.
2. Patrol supervisors have authority to override all dispatch employees in assigning officers to calls.
3. Commissioned and non-commissioned supervisory employees are expected to work together in resolving problems as they occur (i.e. Patrol Supervisors contact the Dispatch Supervisor).

B. Dispatching/Assigning Officers to Calls

1. Officers often request dispatchers to change a dispatch assignment for one of the following reasons:
 - a. An officer states he is closer to the call than an officer dispatched on the call.
 - b. A call is received in an officer's assigned beat and he was out of service when the call was dispatched and is now back in service.
2. Dispatchers handle the calls listed above in the following manner:
 - a. Officers dispatched to a call in their beat remain assigned as the primary officer.
 - b. Call of an urgent nature, closer units are dispatched to take charge of the scene until the primary officer arrives.
 - c. Primary officers sent to calls out of their assigned area, the dispatcher may reassign the primary officer if closer units are available.

C. Patrol Responsibilities

1. Officers who disagree with the computer recommendation file submit a message form to their immediate supervisor stating the problem. It is later determined if the recommendation file should be changed.
2. Patrol supervisors may direct units to calls as they see fit. The dispatcher advises the

supervisors of any circumstances regarding other calls that need to be dispatched. This may include but is not limited to:

- a. Calls waiting to be dispatched in the area that will be vacant as a result of his request.
- b. Calls waiting to be dispatched that result in units having to travel further than necessary.
- c. Any other incident that effects future dispatching of calls.

D. Call Priority

1. Priority One Calls (HELPPD, SHOOTJ, 1010, 1050PI, etc.) are dispatched immediately to any available unit. Patrol Sergeants can be dispatched to these calls to assist as backup when other units are not available. In progress offenses are broadcasted as General Information before dispatching units or if no units are available. Units volunteering will be assigned to the call.
2. Priority Two Calls (1015, 1016, 1050, OD, etc.) are dispatched immediately to any available unit. Priority Two calls may be upgraded to Priority One if a situation escalates.
3. Priority Three and Priority Nine calls (BMV, LMUSIC, RP, etc.) are immediately dispatched to any available unit assigned to the District the call is in. Priority Three and Priority Nine calls may be upgraded to Priority Two or Priority One if the situation escalates. When no District Units are available, the call will hold until a District unit is available to take the call. Dispatchers must inform the caller of a reasonable time Police assistance can be expected if a delay is anticipated.

E. Notification

1. The on-duty Commander is advised of Priority One and Priority Two calls holding if the total number exceeds five (5). Notification is by police radio.
2. Dispatchers notify appropriate Patrol Supervisors of any facts surrounding calls that are holding requiring a two unit response and provide information that would help the Patrol Supervisor in making a determination of who is dispatched.
3. Patrol Supervisors advise Dispatchers of how the call holding is to be handled. The response is noted in the CAD call.
4. Complaints received concerning delays due to calls holding are referred to the Dispatch Supervisor. Complaints not satisfied after talking to a Dispatch Supervisor will be referred to a Patrol Supervisor.

End of General Order 61.28



Waco Police Department General Order



Title: HATE CRIMES

Number: 61.30

Effective: 07/01/2009

Cancels: 61.30

Issued: 11/09/1992

Approved:


Chief of Police

61.30.01 POLICY

The purpose of this policy is to ensure that the rights of all people, as guaranteed by state laws and the U.S. Constitution, are protected, regardless of their race, religion, ethnic/national origin, sexual orientation, gender or disability. It is the policy of the Department that any incident believed to be a hate crime shall be regarded as serious and given priority attention.

61.30.02 DEFINITIONS

Hate Crime – A criminal offense committed against a person, group of persons or property, which is motivated in whole or part, by the offender's bias against a race, religion, ethnic/national origin, sexual orientation, gender or disability.

Bias Incident – A pre-formed negative opinion or attitude directed at a person or a group of persons based on their race, religion, ethnicity/national origin, sexual orientation, gender or disability.

61.30.03 PROCEDURES

A. Responsibility

1. Patrol

- a. Investigating officer attempts to determine if facts exist that indicate the offender was motivated by hate or bias. Some factors that could be considered in making that determination are:
 - 1.) Was the incident motivated by the offender's bias against a race, religion, ethnic/national origin, sexual orientation, gender or disability.
 - 2.) Did the victim perceive the offender's actions to have been motivated by hate or bias.
 - 3.) Any racial, religious, ethnic, sexual orientation, gender or disability bias remarks made by the offender.
 - 4.) Presence of offensive symbols, words or acts known to represent a hate or bias against the victim.
 - 5.) Incident occurs on dates significant to racial supremacists and religious extremists in which incidents/attacks are more likely to occur.

- b. If factors and/or evidence exists that a Hate Crime has occurred, the investigating officer will make a priority offense report that details the specific Penal Code violation.
- c. The investigating officer notes the following in the first sentence of the report narrative: "This offense is a Suspected Hate Crime."
- d. If factors exist that tend to show the incident was motivated by a bias, the investigating officer may, at their discretion, or as directed by a supervisor, generate a non-criminal, "Information Only" report; and document in the first sentence of the narrative: "This is a Suspected Bias Incident."
- e. Officers investigating a Suspected Hate Crime or reviewing a Bias Incident are sensitive to the emotional trauma to the victim and will make every attempt to address any special needs of the victim (i.e. Victim Services, mental health professional, clergy, etc.)

2. Criminal Investigations Division

- a. The criminal offense (i.e. burglary, theft, assault, robbery) is investigated by the specific unit/section that would normally conduct the follow-up investigation of that type of crime.
- b. The detective assigned the case will notify the Department's Hate Crimes Officer of the offense.
- c. Investigates offenses labeled "Suspected Hate Crime" as a priority.
- d. Maintains contact with the Hate Crimes Officer throughout the investigation to ensure information is exchanged to help determine if the offense is classified as a Hate Crime.

3. Special Crimes Unit – Hate Crimes Officer

- a. Makes the determination whether an offense was a Hate Crime, Bias Incident or neither.
- b. Prioritizes any case that is referred as a "Suspected Hate Crime" and will exchange information with the assigned investigator of the criminal offense.
- c. Completes supplement report(s) to the original investigation that details if the offense meets the Federal criteria to be classified as a Hate Crime. *(The mere fact that the offender is biased against the victim's race, religious, ethnicity/national origin, sexual orientation, gender or disability, **does not** in and of itself mean that a Hate Crime has occurred.)*
- d. Assigns and prioritizes for review Information Reports labeled, "Suspected Bias Incident."
- e. Upon the decision to classify an offense as a Hate Crime, notifies the Support Services Program Administrator.
- f. Compiles and maintains a monthly summary of referrals of suspected Hate Crimes or Bias Incidents and forwards a copy of the report to his/her supervisor.

4. Support Services Division

- a. The Program Administrator of Records or designee is responsible for submitting the UCR-Hate Crime Incident Report.

End of General Order 61.30



Waco Police Department General Order



Title: EMERGENCY RADIO SIGNAL

Number: 61.31 Effective: 01/01/2016

Cancels: 61.31 Issued: 06/26/1998

Approved:

Brent E. Roman
Chief of Police

61.31.01 PROCEDURES

A. Officer Responsibility In Using The Emergency Radio Signal

1. Officers must be certain that dispatchers are aware of their location so dispatchers can send assistance.
2. Officers only use the Emergency Radio Signal under the following conditions:
 - a. Officer is in need of immediate assistance and is unable to request assistance by normal radio transmission.
 - b. Officer has reason to believe his radio is not working properly and needs to be tested (is coordinated with dispatch).
3. Officers assigned to non-patrol functions advise dispatcher of their call number and location if they are going to be at an address where trouble may be anticipated. Non-patrol vehicle units are entered into the CAD system so this can be accomplished.
4. If the emergency signal is accidentally set off, the officer notifies the dispatch center immediately and advises them an emergency does not exist.

B. Dispatcher Responsibility

1. Dispatchers are responsible for entering the location of officers correctly in the CAD system in case assistance is needed.
2. Dispatchers use the following procedure when an emergency signal is activated on the console:
 - a. Verify officer needing assistance by checking ID numbers on radio console and determine location.
 - b. Notify all units by pressing the All Call select button, send out an emergency tone and broad casting on all available police channels "Attention all units, receiving a 10-33 signal from Unit (give unit number) who is at (give location) on a (give call type)".
 - c. All normal traffic from channel A is automatically switched over to channel B. All other radio traffic on channel A ceases, leaving this channel open to receive any other emergency transmission.

- d. Responding officers can advise dispatchers they are in route to the scene. If there is not an immediate response from other officers to go to the scene of the emergency, the dispatcher sends a minimum of two (2) to assist the officer calling for help.
- e. Emergency radio traffic may be switched to an alternate radio channel by authority of a patrol supervisor.
- f. Normal radio traffic may resume once the emergency is over.
- g. If location of officer is unknown, the following procedure is used:
 - (1) Verify officer needing assistance by checking ID numbers of radio console.
 - (2) Notify all units by pressing the All Call select button, sending out an emergency tone and broad casting on all available police channels "Attention all units, receiving a 10-33 signal from Unit (give unit number), unknown location. Was at (give last known location) on a (give call type)."
 - (3) Advise on duty Patrol Commander so search for officer needing assistance can be coordinated.

C. Supervisor's Responsibility

- 1. Supervisors responsible for assigning radios give a list of assigned portable radios to dispatch before officers begin their tour of duty.
- 2. Radio ID numbers and assigned beats (if Patrol) are listed beside each officer's name.
- 3. Dispatch is notified immediately if radios are exchanged during an officer's tour of duty.
- 4. Supervisors notify dispatchers by phone regarding the above information if officers report in service before list is sent to dispatch.

End of General Order 61.31



Waco Police Department General Order



Title: D.W.I./D.U.I. MINOR ARREST

Number: 61.32 Effective: 06/01/2012

Cancels: 61.32 Issued: 04/01/2010

Approved: 
Chief of Police

61.32.01 DEFINITIONS

- A. Bodily Injury: - Physical pain, illness or any impairment of physical condition that requires transportation to and treatment at a hospital. (PC 1.07 (a)(8)) and TC 724.012
- B. Serious Bodily Injury – Bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ. (PC 1.07 (a)(46)).
- C. Drug Recognition Expert (DRE) – Police Officer that has been certified by the International Association of Chiefs of Police to conduct Drug Influence Evaluations on person (s) suspected to be under the influence of a substance other than alcohol.
- D. Mandatory Specimen – A blood specimen obtained from a suspect that has been arrested for an offense under Penal Code Chapter 49 and under certain conditions as provided by Transportation Code 724.012.

61.32.02 PAPERWORK NAMES

- | | |
|--------------------------|---|
| 1. DIC 23 | Peace Officer Sworn Report (Attachment) |
| 2. DIC 23A | Lab Submission Form (Attachment) |
| 3. DIC 24 | Statutory Warning (Attachment) |
| 4. DIC 25 | Notice of Suspension (Attachment) |
| 5. Complaint | DWI Complaint (Attachment) |
| 6. Mandatory Blood | (Attachment) |
| 7. Blood Draw Form | Affidavit for Blood Draw (Attachment) |
| 8. Affidavit S/W | (Attachment) |
| 9. Search Warrant | (Attachment) |
| 10. Order for Assistance | (Attachment) |
| 11. Return | (Attachment) |
| 12. Lab Submission Form | (Attachment) |

61.32.03 POLICY

- A. Waco Police Officers conduct traffic stops, investigate car crashes and watercraft collisions and look for signs of intoxication knowing that some drivers could be under the influence of alcohol, prescription medication, over the counter medications, illegal drugs and or other substances.

- B. Waco Police Officers, certified in Standardized Field Sobriety Testing (SFST), will attempt to have drivers they suspect as being under the influence of alcohol or drugs complete the SFST to obtain evidence to prove intoxication. Officers should ensure that the in-car video and audio recording system are operational and recording while interacting with a possible intoxicated driver.
- C. Waco Police Officers who have developed probable cause that the operator of a motor vehicle, amusement ride, aircraft or boat is intoxicated will arrest drivers for Driving While Intoxicated.
- D. Waco Police Officers **shall (as required by TC 721.012 (b))** obtain a usable voluntary or mandatory **blood** specimen from a suspect when any of the following conditions are met: **(If specimen is drawn under the mandatory requirements, then only 1 specimen is allowed to be taken.):**
1. A motor vehicle or watercraft crash when a person, other than the suspect, has died or possibly will die and it is proven that the suspect caused the crash.
 2. A motor vehicle or watercraft crash when a person, other than the suspect, has sustained serious bodily injury and the suspect has caused the crash.
 3. A motor vehicle or watercraft crash when a person, other than the suspect, has sustained bodily injury that requires transportation and treatment at a hospital.
 4. A suspect has been arrested for PC 49.045 (Driving While Intoxicated with Child Passenger).
 5. A suspect has been **previously convicted** of any of the following offenses:
 - a. PC 49.045 Driving While Intoxicated with Child Passenger
 - b. PC 49.07 Intoxication Assault
 - c. PC 49.08 Intoxication Manslaughter
 6. A suspect has been previously convicted **two or more times** for:
 - a. PC 49.04 Driving While Intoxicated
 - b. PC 49.05 Flying While Intoxicated
 - c. PC 49.06 Boating While Intoxicated
 - d. PC 49.065 Assembly or Operating an Amusement Ride While Intoxicated
- E. Waco Police Officers may obtain a Search Warrant for a suspect that has been arrested for Driving While Intoxicated and who has refused to submit to a sobriety test or chemical testing.
- F. Officers may obtain a Search Warrant for any person who refuses to take a breath or blood test that is arrested for a Chapter 49 Offense that involves the operation of a vehicle, amusement ride or water vessel.
- G. Waco Police Officers **SHALL OBTAIN A** Search Warrant for a person involved in a motor

vehicle collision in which a person has serious bodily injury or possible death and it is unclear at the time as to who caused the crash if the circumstances that would not be covered under the Mandatory Blood Sample. **(On Call Crash Investigator should be contacted.)**

- H. Waco Police Officers will make an arrest or issue a citation for a person that has a detectable amount of alcohol but is not considered intoxicated that is under the age of 21. Officers will make a custody arrest for suspects under the age of 21 for Driving Under the Influence of Alcohol by a Minor, Alcoholic Beverage Code 106.041, if they are unable to release the minor to a responsible adult (preferably a parent or guardian) who is over the age of 21. Officers may issue a citation and release the suspect if a responsible adult is located. Officers will not issue a Notice of Suspension (DIC 25) unless the officer obtains a chemical test other than a portable breath test.
- I. Waco Police Officers will impound and place a hold, for forfeiture, on a suspect's vehicle when the suspect has been convicted 3 previous times for an offense under Chapter 49 of the penal code and the current offense is a State Jail Felony or 3rd Degree Felony (CCP 59.01 (1)(A)(iv)).

61.32.04 PROCEDURES

A. After Officers obtain probable cause for arrest of a suspect, the Officer shall:

1. Read the Suspect the DIC 24 Statutory Warning and request a Breath or Blood Test. The suspect can be either standing in front of the patrol unit or seated in the back seat of the patrol unit. A copy of the DIC 24 shall be given to the suspect to read along. Ensure that the video camera and audio are working properly prior to reading.
2. Officer will obtain a verbal yes or no answer from the suspect. (If suspect refused to answer, consider that the suspect has refused to submit to the test.)
3. If the **suspect agrees** to take a breath test, then the suspect will be transported to the McLennan County Jail where a certified intoxilizer operator will administer the testing **unless the suspect is arrested for a mandatory blood specimen offense.**

B. If the suspect refuses to submit to a breath or blood test, the officer may transport the suspect to Hillcrest Hospital for the purpose of obtaining a search warrant for a blood specimen..

1. The officer will fill out an Affidavit for Search Warrant, Search Warrant and Order for Assistance. The Arresting Officer will swear to the Affidavit to another on-duty police officer who will sign the Affidavit as a Peace Officer Notary.
2. Officer will contact the County Court or District Court Judge and fax the paperwork to the Judge.
3. Upon receiving the signed paperwork back from the Judge, the Officer will present the Order for Assistance to the Hillcrest ER personnel who will then draw a blood sample.
4. Blood sample will be sealed up according to instructions and Blood Draw Statement will be filled out and signed by person drawing blood and Officer.
5. Once the sample is obtained, then the suspect will be transported to the McLennan County Jail to be booked in. All DWI paperwork for a Refusal will be completed. (DIC 23, 24, 25 and Complaint) (Yellow Copy of 24 and 25 given to suspect) (All paperwork will be left at County

Jail.)

6. The Search Warrant Return will be notarized at County Jail either by a Jail Staff Notary or another on-duty police officer. All original and copies of Search Warrant paperwork will be attached to DIC Paperwork.
7. Blood sample will be taken to Property Room and Tag placed on outside of box. DO NOT SEAL BOX IN PLASTIC BAG. Box will be placed in refrigerator.
8. Priority Form 2 will be completed.

61.32.05 SUSPECT ARRESTED FOR DWI UNDER THE INFLUENCE OF DRUGS

- A. Persons that are arrested for Driving While Intoxicated and the driver is suspected to be under the influence of something other than alcohol should have Dispatch attempt to contact one of the Department's Certified Drug Recognition Experts (DRE) or a DRE from the Sheriff's Office, TX Department of Public Safety or Woodway DPS AFTER a breath test is completed to confirm that alcohol level is below a 0.08% and not the primary cause for intoxication DRE's will follow the State DRE Protocol in completing the Drug Influence Evaluation Testing.

End of General Order 61.32



Waco Police Department General Order



Title: CANINE TRAINING DRUGS

Number: 61.36

Effective: 04/01/2012

Cancels: 61.36

Issued: 10/15/2004

Approved:


Chief of Police

61.36.01 POLICY

The Department recognizes the need to utilize certain drugs as canine training aids. Canine Handlers are provided a means of accessing and using those drugs with appropriate documentation and accountability requirements.

61.36.02 PROCEDURES

A. General Requirements

1. Drugs held for destruction are the only types of drugs that may be used as Canine drug training aids. The Property Room Clerk ensures that only drugs not needed for evidence are checked out as training drugs.
2. Only the amount of drugs needed for training purposes are obtained. Once the handler receives possession of the training drugs, the packaging containing the drugs is not altered, removed or tampered with in any way. Drugs are not loaned out to anyone else.

B. Checking Out or Replacing Training Drugs

1. The Canine Handler's immediate supervisor or in their absence, the handlers' Commander, must approve any request for training drugs for use by a Canine Handler.
 - a. Training drugs may be replaced every 90 days.
 - b. Any training drugs checked out by the Canine Handler must be done in the presence of the handler's immediate supervisor and a Property Room Clerk.
 - c. Drugs are weighed, inclusive of packaging, at the time of check out. Weighing is witnessed by the receiving Canine Handler, the Canine Handler's immediate supervisor and a Property Room Clerk.
 - d. Each witness signs the checkout slip that reflects the type of drug, weight of the drug, case number, date and the fact that the drugs are being assigned as canine training drugs. Completed property slips are kept by the Property Room Clerk for their files and a copy attached to the case. The P.R. Module is also signed depicting narcotics are checked out.
 - e. A supplement report is made to the case that the drugs came from by the receiving handler and the Property Room Clerk. All pertinent information including the names of the witnesses

present during the checkout process are included in the supplement reports.

- f. Except as noted in 61.36.02.1.g. below, the same process is used each time training drugs are removed from or returned to the Property Room.
- g. If the Canine Handler who originally checked out the drugs is going to be unavailable for an extended period of time, then a supervisor in the handler's Chain of Command is authorized to return canine drug-training aids to the Property Room. In that situation, the handler's supervisor and the Property Room Clerk will make supplement reports.

61.36.03 SECURITY OF DRUGS

- A. Canine Handlers are responsible for the proper handling and security of drugs checked out or stored by them. Any circumstance interfering with the Canine Handler's ability to properly secure the drugs is immediately reported to their supervisor or if unavailable, to an on-duty Patrol supervisor.
- B. Canine training drugs must be kept in a secure lock box inside the handler's office when the training drugs are not being used. Lock boxes containing training drugs are kept locked at all times.
 - 1. Each handler has a key to their own lock box.
 - 2. Their immediate supervisor has a spare key to those lock boxes.
- C. Access to the lock boxes is restricted to the respective handler and supervisors in the handlers' Chain of Command.
- D. Drug training aids must be presented to a Canine supervisor for inspection upon request.
- E. Any time canine training drugs or its packaging are lost or damaged, the Canine Handler will immediately notify their supervisor.
 - 1. The Property Room Supervisor is notified by the Canine Supervisor that the canine drug-training aids have been lost or damaged. Appropriate notations are made in the PR. Module.
 - 2. The Canine Supervisor makes a supplement report to the original case from which the drugs were obtained describing what happened to the training drugs.

61.36.04 MISCELLANEOUS

- A. The Canine Handler Supervisor is responsible to arrange for an inspection and weighing of the handlers' training drugs by a Property Room Clerk within 5 working day of these events:
 - 1. The Canine Handler assigned to the drugs is off-duty for more than 30 consecutive days; or
 - 2. A personnel change occurs in the Handler's Chain of Command (Sergeant, Commander or Assistant Chief).
- B. When a Canine Handler is reassigned, training drugs possessed by the handler are returned to the Property Room using the same general procedure described in 61.36.02.B.1. above. The handler's supervisor is present when the training drugs are returned.

End of General Order 61.36



Waco Police Department General Order



Title: AIRPORT SECURITY SHIFTS

Number: 61.39

Effective: 01/01/2016

Cancels: 61.51

Effective: 10/15/2011

Approved:

Brent E. Roman
Chief of Police

61.39.01 POLICY

The purpose of this order is to provide for a safe and secure transportation environment at the Waco Regional Airport and to comply with federal regulations for Law Enforcement Officer (LEO) coverage during passenger screening times.

61.39.02 PROCEDURES

A. General Responsibilities

1. Officers working the early or 1st security shift are required to report for duty 30 minutes prior to the start of passenger screening by TSA personnel. The officer working the 2nd security shift reports to work at the time shown on the airport security schedule.
2. The Patrol Office Sergeant keeps personnel informed about any changes in the airport security officers' work hours.
3. Officers working an airport security shift notify Dispatch personnel on the primary police radio channel that they have arrived at the Airport and that they are at their post.
4. If an officer realizes they are either going to be late for or miss their airport security shift, the officer immediately contacts the Dispatch Office who arranges for a replacement officer according to this policy.
5. If the officer working airport security fails to check in with Dispatch at the beginning of the officer's security shift **or** if the Dispatch Office is notified by TSA or Airport personnel that the WPD security officer has not arrived for their shift:
 - a. Dispatch personnel will **immediately** contact the District 1 Patrol Sergeant or another Patrol supervisor to find out which airport-trained beat officer the patrol supervisor wants to send to the Airport to fulfill airport security duties. This is dispatched as a **Priority 1 call**.
 - b. If no airport trained officer is available, a beat officer will be dispatched to the Airport to perform security duties on a temporary basis. The beat officer sent to the Airport will remain on-duty at the Airport until they have been properly relieved by an airport trained officer.
6. The District 1 Sergeant or another supervisor attempts to contact the officer scheduled to work at the Airport to find out why they are absent. That supervisor also notifies the officer's immediate supervisor and the Patrol Office Sergeant via email about the scheduled officer's

failure to report for their airport assignment.

7. If the Airport Security Director notifies the Patrol Office Sergeant that an officer was late or failed to report for their security assignment, the Patrol Office Sergeant is responsible to, if it has not already been done, make written notification to the officer's immediate supervisor about the officer's late or missed security shift.
8. Officers who are late or absent from their assigned airport shift are subject to being removed from the airport overtime list as provided in General Order 42.01.07 E. (being late, missing an assignment, failure to fulfill duties, etc.).
9. All officers who want to work an airport security assignment must attend an airport security training class prior to being allowed to work at the Airport.
10. Officers must be able to respond to the passenger screening area within 5 minutes. To ensure a timely response, officers working airport security shifts are prohibited from leaving the general vicinity of the Waco Regional Airport.
11. Officers working this field assignment should contact the District 1 Patrol Sergeant or if unavailable, another Patrol supervisor for supervisory assistance.
12. The Patrol Office Sergeant may be contacted during normal business hours to discuss scheduling or other airport security matters that are non-urgent in nature.
13. A patrol supervisor is contacted to arrange for refueling the marked airport patrol unit.

B. Emergency Response Procedures

1. 9-1-1 calls from Waco Airport Terminal are Priority 1 Service Calls.
 - a. Dispatch attempts to immediately dispatch these calls using the closest available units.
 - b. Any uniformed officer available, including Street Crimes, Traffic, Park Patrol, STEP Officers, or any available Supervisor may be used for this response.
 - c. Calls made by the Federal Aviation Administration (FAA) Special Agent may refer to the TSA Screening area as "Check Point, ACT A, or Alpha".
2. Our Department is under an agreement filed with the Federal Aviation Administration to respond to these calls within ten (10) minutes.
3. Officers respond directly to the TSA Security Screening area in the passenger terminal and report to the Senior TSA Screener unless:
 - a. An off-duty, uniformed police officer in the immediate vicinity of the Waco Regional Airport asks for assistance, or,
 - b. Problems arise and officers are directed elsewhere in the immediate vicinity of the Waco Regional Airport at the request of the Airport Manager/Airport Security Coordinator.

End of General Order 61.39



Waco Police Department General Order



Title: CIVIL DISTURBANCE/
CROWD CONTROL

Number: 61.40 Effective: 01/01/2016

Cancels: 61.40 Issued: 08/29/1994

Approved: *Brent E. Roman*
Chief of Police

61.40.01 POLICY

The Department's purpose is to protect the people, facilities, and services likely to become targets of attack in a continuing disturbance, isolating the disturbance area to prevent the disturbance from spreading, and restoring order in the disturbance area with law enforcement and order maintenance initiatives.

Officers exert control over a disobedient crowd in a manner which ensures the least amount of control is used to prevent the disturbance from escalating.

61.40.02 PROCEDURES

A. Alert Stages

1. Alert stages are defined for this crowd control plan:

- a. The Chief or any commander in charge of the Department can place the Department at any stage of alert depending on the circumstances.
- b. The Department remains at that level of alert until it is upgraded or downgraded by the issuing commander or a higher authority.
- c. Division commanders ensure their responsibilities are met during each stage of alert.

2. Alert Stages are color coded and have definite responsibilities during each stage:

a. GREEN - Normal Department Operations

- (1). Employees receive training on the Plan
- (2). Plan is reviewed and amended as needed
- (3). Drills are conducted to maintain proficiency
- (4). All/Alert lists are updated
- (5). Equipment is inspected and replaced as appropriate
- (6). Normal intelligence gathering activities

b. YELLOW - Pre-Implementation

- (1). All employees are put on alert
- (2). Call lists are distributed and readied
- (3). All sworn employees wear uniforms or have it available while on duty
- (4). Intelligence gathering activities increase and are targeted
- (5). Rumor control function is activated
- (6). Specifics of Plan are reviewed in all areas of Department; review specific responsibilities
- (7). Equipment is made ready and/or moved
- (8). Forms are ready and available

c. ORANGE - Minimal Implementation

- (1). Manpower is assigned to Post in preparation for full alert
- (2). Appropriate services, law enforcement, and others are notified of Department's status
- (3). Chronological log is activated to record events
- (4). E.O.C. is notified

d. RED - Full Implementation

- (1). Plan is implemented
- (2). E.O.C. is activated if necessary

B. Response Procedures

1. First officer on the scene:

a. Notifies Communications of:

- (1). Exact location
- (2). Nature of incident
- (3). Requests for assistance
- (4). Requests for a Sergeant

b. Confirms that a sergeant is enroute and waits for assistance

- c. Stays far enough from the scene (i.e. crowd disturbances) to eliminate any possibility of involvement but not so far away as to be unable to observe and keep supervisors and Communications informed.

2. First Supervisor upon arrival:

- a. Immediately assumes command until relieved by a higher authority
- b. Makes rapid survey of the scene and estimates the extent of problem
- c. Assigns sufficient personnel to seal off the area and establishes an inner perimeter; controls movement of vehicles and pedestrians into or out of an area

3. Commander on Duty

- a. Goes to the scene and sets up Tactical Operations Center outside the inner perimeter and notifies Communications of its location
- b. Establishes staging area for officers and equipment. The staging area is in a secure area way from the disturbance but easily accessible

4. Patrol Assistant Chief

- a. Takes command of the incident and the Primary Command Post
- b. Coordinates tactical and manpower needs with the Chief through E.O.C., if necessary, and other Department Commanders

C. Initial Allocation of Manpower

1. The Shift Commander initiates the division and assignment of manpower

- a. All on duty uniformed officers are immediately available for use (i.e. Park Patrol, S.T.E.P. Officers)
- b. On duty patrol shift(s) is split into three assignments
 - (1). Police Service Assignment
 - (2). Staging Area Assignment
 - (3). Tactical Area Assignment

2. Police Service Assignment: (consists of 1/2 (one half) of the patrol shift officers and one Sergeant)

- a. Responsible for answering emergency calls for service
- b. Officers double up and operate as two-man units, leaving extra vehicles, keys, and radios at the staging area with the Staging Area Sergeant

- c. Officers operate on radio frequency A and B
3. Staging Area Assignment: (consists of one sergeant and two officers)
- a. Responsible for moving equipment, cars, radios, riot equipment, and supplies to staging area, if different from police building and issuing equipment. Civilian personnel assist as needed (i.e. Property Room Clerk and Supervisor)
 - b. Staging Area Sergeant ensures a smooth transition between officers coming off post and relief officers
 - c. Staging Area Sergeant keeps the Primary Command Post notified of available personnel as they report and become ready for assignment
4. Tactical Area Assignment: (consists of the remainder of the patrol shift on duty and any other uniformed officers immediately available for deployment). The immediate situation is supervised by the on-duty patrol commander. The on-call Special Operations Commander or his designee will respond to the assignment and will become responsible for the inner perimeter and tactical operations inside the area. The on-duty Patrol Commander will provide support and oversee the outer perimeter control.
- a. Both Commanders are responsible for handling the disturbance/incident in conjunction with Special Operations and other reporting officers and agencies
 - b. All personnel should work under their designated sergeant as a squad as much as possible. Each squad is given a specific area of responsibility as directed through the Chain of Command
 - (1). Special Operations is responsible for all offensive enforcement actions, patrol of affected area, rescue response, and inner perimeter
 - (2). All other officers are responsible for outer perimeter, traffic and crowd control, as well as to assist Special Operations as needed

D. Mobilization

1. Call Up procedures for off-duty personnel are utilized if needed. During Call Up, supervisors advise their subordinates where to report for duty, type of uniform or equipment to bring, and who to report to at the staging area.
2. Supervisors report to the staging area to:
 - a. Confer with the Staging Area Supervisor
 - b. Assemble their subordinates
 - c. Supervise the issuance of equipment and transportation
 - d. Request assignment from the Primary Command Post
3. Non-supervisory personnel report directly to the staging area in proper uniform and remain with

other squad members to await equipment and instructions from the supervisor.

4. The staging area is the police building assembly room unless otherwise designated
5. The Primary Command Post is initially the Patrol Supervisor Conference Room but may be relocated if needed.

E. Extended Duty

1. Schedules must remain flexible. Twelve (12) hour shifts are possible if personnel needs exist.
2. A break and rest area is established for emergency operations of long duration which include:
 - a. Cots and delivered meals and refreshments are coordinated with Management Services
 - b. The area is out of sight and sound of the incident and is secure for the purpose of safety and instructions
3. All field personnel involved in the incident report to and work out of the staging area and coordinate their assignment with the Staging Area Sergeant.
4. Efforts are made to periodically brief all personnel in the current status of the operation through the Chain of Command in order to reduce rumor caused anxiety and errors due to inaccurate information.

G. Mass Arrest

1. If mass arrests are anticipated or required, the Field Commander assigns one sergeant to supervise implementation of this mass arrest procedure, subsequent field processing, and transportation of prisoners.
2. The sergeant establishes a secure field processing area as close to the incident scene as possible.
3. The field processing area is staffed by the number of officers necessary to guard, process, and transport prisoners. C.I.D. manpower may be used for this assignment. McLennan County Sheriff's Deputies may also be contacted.
4. Special Operations is responsible for maintain the following mass arrest supplies in readiness:
 - a. Flexcuffs (200)
 - b. Property sacks (200)
 - c. Information cards (200)
 - d. Flexcuff cutters
 - e. Two ink pads and ink (for thumb prints)
 - f. Access to two cameras with flash

g. Evidence sacks/bags

H. Procedure for Mass Arrest

1. Officers making arrests take the prisoner to the field processing area. If unable due to distance, quantity of prisoners, or hazardous conditions to transport prisoners to the processing area, the officer, after notifying the supervisors of conditions at his location, moves the prisoner(s) to the nearest safe location and requests assistance for transport to the processing area.
2. Processing area procedures
 - a. Each prisoner has flexcuffs put on and the officer's handcuffs are removed
 - b. Property is removed from the arrestee and placed in a property sack after both the arresting officer and the processing officer have frisked the arrestee for weapons and property
 - c. The processing officer takes a picture of the arresting officer and arrestee together, places the arrestee's right thumb print to the mass arrest information card, and places the prisoner in the transport vehicle.
 - d. The arresting officer completes the mass arrest information card and staples it to the arrestee's property sack, securely stapling the sack closed.
 - e. Any evidence seized is properly marked with initials, date, and time by the arresting officer, given to the processing officer to await transfer to the jail.
3. C.I.D. officers handle all appropriate charges on mass arrest suspects, including issuance of citations on behalf of arresting officers.
4. Reports relating to offenses and arrest for major offenses are completed by the arresting officer as soon as the state of emergency is over.
5. The procedures for handling mass detention of juveniles are the same as for adults. The restrictions concerning transportation and housing of juveniles are still applicable.

I. Media and Rumor Control

1. The Public Information Officer coordinates media requests for information.
2. A location is designated where the media can assemble for press release information. The location is not near the staging area or any of the command posts.
3. The Public Information Officer is also responsible for the rumor control function. This function includes clarifying and disseminating information to personnel involved in the emergency operation and to the public and media.

J. Maintenance of Readiness

1. Annual Review and Update of Procedures
 - a. The Special Operations Commander reviews and updates this plan annually.

- b. Each Assistant Chief reviews and updates division orders and procedures to ensure their division's readiness.
2. Special Operations in coordination with Training establishes and schedules refresher training for all personnel.
3. Each Assistant Chief ensures that the emergency equipment/supplies assigned to the division are maintained and inspected each month.

End of General Order 61.40



Waco Police Department General Order



Title: ARSON INVESTIGATION


Number: 61.42

Effective: 06/01/2009

Cancels: 61.42

Effective: 09/19/1994

Approved:


Chief of Police

61.42.01 POLICY

The Waco Fire Department conducts the follow-up investigation on all arson cases that involve structure or property damage. The Waco Police Department conducts the follow-up investigation on all deaths that result from a fire or explosion, regardless of arson or accidental nature.

61.42.02 PROCEDURES

A. General Responsibilities

1. The Fire Department is responsible for making arson reports. The Police Department is responsible for making reports on other offenses associated with the arson (e.g. questionable deaths, burglaries, auto thefts)
2. The Police Department's reporting system is used to make all reports.

B. Fire Department Responsibilities

1. All arson evidence is photographed and secured by the Fire Marshall or their designee.
2. The Fire Marshall or their designee is called out after hours to process evidence on obvious arsons involving vehicle and structure fires.
3. Flammable evidence is tagged and stored at 1016 Columbus by the Fire Marshal's office. If it is evidence in a police investigation the property can be stored per Police Property Room procedures.
4. Non-flammable evidence may be stored in the Police Department Property Room.
5. The Investigating Officer will submit a criminal investigation (Arson) to the District Attorney when appropriate.
6. Fire Department investigators that are licensed peace officers are allowed to access information from Police Department criminal records and the Police Department Property Room.

C. Police Department Responsibilities

1. Special Crimes Unit

- a. Fire related Homicide, Suicide and Questionable Deaths are worked by the Special Crimes Unit.
 - b. The Special Crimes Unit Supervisor or their designee will be contacted on all such incidents to determine whether or not an immediate response from the unit On-Call Investigator is necessary.
 - c. The Fire Marshall or their designee investigates circumstances surrounding the nature of the fire and submits their report (on crimes listed in C.1.a.) to the Special Crimes Unit.
 - d. The Special Crimes Unit will determine if a criminal homicide has occurred.
 - 1.) Special Crimes investigators will submit a criminal case to the District Attorney when appropriate.
 - 2.) Special Crimes personnel may assist and advise Fire Department personnel on the custody of evidence.
2. The Fire Marshall or their designee may be asked to dictate a supplemental report to the criminal investigation being conducted by the Special Crimes Unit.

D. Handling Vehicles

1. Vehicles involved in an arson case that resulted in the death of any person are seized and impounded to determine if they contain evidence pertinent to the investigation.
2. Vehicles may be impounded by either the Fire Marshall or their designee, or Police Department personnel.
3. Impounded vehicles are processed in accordance with Police Department policy, including the completion of a Vehicle Storage / Inventory Form. A priority report will be made and impound slips turned in prior to end of shift.
4. A "Hold" will be placed on vehicles that may contain potential evidence.

End of General Order 61.42



Waco Police Department General Order



Title: **FORFEITURE**

Number: **61.43** Effective: **01/01/2016**

Cancels: **61.43** Issued: **05/24/1995**

Approved:


Chief of Police

61.43.01 POLICY

Law enforcement is the principle objective of forfeiture. Every effort will be made to ensure the lawful seizure and forfeiture of cash, motor vehicles and other forfeiture items in compliance with current law.

61.43.02 PROCEDURES

A. Forfeiture Guidelines

1. When an officer becomes aware of specific articulable facts which would lead a reasonable person to believe that a person possesses contraband as defined by Art. 59.01 Texas Code of Criminal Procedure (CCP), or meets the requirement of Federal Statute 18 U. S. CODE §981; the officer should then seize the contraband and document in the report and Vehicle Inventory/Storage Form "**Hold for Forfeiture.**"
2. Seizure of the property can occur in the following ways:
 - a. Pursuant to a Search Warrant per Article 1802 (12) CCP.
 - b. If the owner, operator or agent in charge of the property knowingly consents to the seizure of the property or to the search that resulted in the discovery of seizable property,
 - c. If the property subject to seizure has been the subject of a prior judgement in favor of the State in a forfeiture proceeding under Chapter 59 of CCP, or
 - d. If the seizure was incident to a lawful arrest, lawful search, or lawful search incident to arrest.
3. Drug related forfeitures - there must be some indication of felonious drug trafficking. Possession alone is not sufficient.
4. Motor Vehicles
 - a. May be seized if:
 - (1). It meets the definition of contraband as defined by Art. 59.01 CCP or meets the requirements of Federal Statute 18 U.S. CODE §981;
 - (2). The vehicle is registered in the suspect's name, or if the vehicle is not registered in the

suspect's name, there are specific acts indicating that the registered owner consented to and/or is aware that the vehicle was used or intended to be used in the commission of a felony offense listed in the definition of contraband as defined by Art. 59.01 CCP, or the vehicle is not registered to the suspect, but there are specific facts indicating the suspect is the actual owner of vehicle.

b. When a vehicle is being considered for seizure, the following must be considered

- (1). The age and condition of vehicle, and
- (2). Amount of money owed on lien.

5. Value of Seizable Personal Property

a. Personal property must have a value of at least \$500 in order to be considered for asset forfeiture.

b. For vehicles to be seizable:

- (1). State: must have a market value above any lien of at least \$500
- (2). Federal: must have a market value of at least \$5,000.

6. Approval from the District Attorney's Office or appropriate federal agency must be obtained before real estate may be seized for forfeiture.

B. Asset Forfeiture Coordinator

1. A DES and CIS supervisor will be designated as the Asset Forfeiture Coordinator for their respective sections. The DES Asset Forfeiture Coordinator will be responsible for coordinating all asset forfeitures initiated by DES. The CIS Asset Forfeiture Coordinator will be responsible for coordinating all other asset forfeitures.
2. Asset Forfeiture Coordinators will work with case officers as needed to insure all documents are in order for a timely presentation to the District Attorney's Office or an appropriate Federal Agency for judicial proceedings.
3. Asset Forfeiture Coordinators will be responsible for ensuring that seized contraband is handled in accordance with all legal requirements governing seizure practice and procedure.
4. Asset Forfeiture Coordinators will monitor each forfeiture process in both State and Federal court until a final disposition is reached.
5. Asset Forfeiture Coordinators are responsible for maintaining any real property or vehicles seized until final disposition is received.
6. Asset Forfeiture Coordinators are responsible for providing the Planning & Budget Program Administrator and the Chief of Police information on all asset forfeitures as required for any state or federal annual reports at the end of each fiscal year.

C. Offense/Supplementary Report

1. When contraband is held for forfeiture, the seizing officer will make a priority offense/supplementary report listing the specific property held for forfeiture in the property section of the report. Vehicles should be listed in the vehicles section of the heading.
2. The offense/supplementary report must clearly reflect how the contraband was used or involved in the offense. The officer will also include any information that links the contraband and the offender in the narrative of the report.
3. The Asset Forfeiture Coordinator shall ensure that the investigator completes a sworn seizure affidavit when it is determined that filing forfeiture on contraband is appropriate. This sworn seizure affidavit shall contain the following:
 - a. a schedule of the property seized,
 - b. an acknowledgement that the contraband was seized by an officer, and
 - c. the reasons for the seizure.
4. In order to meet the statutory deadlines for asset forfeiture, investigators must forward their seizure affidavits and offense reports to the District Attorney's Office or appropriate Federal agency **as soon as possible**.
 - a. State forfeiture proceedings must be filed by the District Attorney's Office no later than 30 days after the date of seizure.
 - b. Federal forfeiture proceedings must be filed no later than 60 days after the date of seizure.
5. Supplementary reports will be completed whenever the location or condition of the contraband changes or when the investigator receives a final court disposition on a forfeiture case.
6. Department supervisors are responsible to review cases to ensure the lawful seizure and forfeiture of cash, motor vehicles and other forfeiture items in compliance with current law.

D. Awarded Asset Forfeitures.

1. All awarded asset forfeitures will be processed according to the requirements set forth in the court disposition and the Local Agreement between the District Attorney's Office and the Waco Police Department.
 - a. Currency - When currency stored in the Property Room is awarded for forfeiture, the investigator responsible for the forfeiture must complete a Form 10 Property Disposition Report transferring the currency to the Planning & Budget Unit. A signature is required on the Form 10 identifying the Planning & Budget Unit employee receiving the currency.
 - b. Motor Vehicles - When a motor vehicle is awarded for forfeiture, the investigator responsible for the forfeiture and the Asset Forfeiture Coordinator may recommend the vehicle to be utilized by the department for official police purposes or transferred to another law enforcement agency.

- (1). On or before thirty (30) days after the communication by the District Attorney providing the court disposition, the Asset Forfeiture Coordinator must notify the District Attorney in writing if the vehicle is approved for official police use or transferred to another law enforcement agency.
- (2). Vehicles not used for official police purposes or transferred to another law enforcement agency are transferred to the City of Waco Purchasing Department to be sold at auction.
- (3). A supplemental report shall be completed documenting this action.

E. Accounting Procedures

1. Funds generated from Chapter 59 CCP State forfeitures and Federal court forfeitures must be maintained in separate accounts from any other awarded funds.
2. Records of expenditures/earnings will be maintained on an on-going basis.
3. An annual audit of each account will be conducted at the end of the fiscal year in accordance with accounting guidelines required by either State or Federal law as appropriate.
4. Planning & Budget is responsible for coordinating and maintaining fiscal control over the accounts.

F. Budgeting procedures

1. The budget year for forfeited funds is October 1st through September 30th.
2. The budget for funds acquired through State forfeitures must be approved by the City Council.
3. The budget for funds acquired through Federal forfeitures must be approved by the Chief of Police.
4. Funds will be expensed according to the approved budget.

G. Other Forfeitures

1. If a gambling device or equipment, altered gambling equipment, gambling paraphernalia, gambling proceeds, a criminal instrument, an obscene device or material, dog-fighting equipment, or prohibited weapon is seized:
 - a. The seizure must be clearly reflected in the case report, as provided in Section C.1. and C. 2. above.
 - b. If the seizure was pursuant to a warrant, the items seized must be listed on the return filed with the magistrate who issued the warrant.
 - c. Currency seized as gambling proceeds may be deposited in an interest-bearing account until final judgement is rendered. All interest accrued shall be distributed in the same manner and used for the same purposes as the principal.
 - d. Awarded gambling proceeds or abandoned currency is processed in the same manner as

provided in Section D.1.a. above.

e. Property disposition

- (1). If the case is prosecuted and a conviction results, the court entering the judgement of conviction can order the destruction or forfeiture of the property seized.
 - (2). If there is no prosecution or conviction in the case, the magistrate to whom the return on a warrant was made can conduct a hearing to determine the disposition of the property.
 - (3). If there is no prosecution or conviction in the case and no return on a warrant was filed with a magistrate, the Police Legal Advisor should be contacted so a determination of the appropriate magistrate to handle a destruction or forfeiture request.
2. Explosive weapons and chemical dispensing devices must be disposed of in accordance with Ar. 18.181, CCP.
3. Disposition of seized weapons
- a. If the weapon seized is a prohibited weapon, the disposition is to be handled as provided in Section G.1. above.
 - b. If the weapon is allegedly stolen property, the disposition shall be handled in accordance with Chapter 47 CCP.
 - c. If the seizure was not made pursuant to a search or arrest warrant, the officer seizing the weapon must prepare an inventory on each weapon seized and file the inventory with the Municipal Court.
 - d. If there is no prosecution or conviction for an offense involving the weapon seized, the Municipal Court notifies the person found in possession of the weapon that he/she has 60 days from the date of notification to claim the weapon. If no claim is filed, the weapon can be ordered destroyed or forfeited to the Department.
 - e. If the person is convicted or received deferred adjudication for an offense under Chapter 46 of the Penal Code, or is convicted of an offense involving the use of the weapon, the court entering the judgement of conviction handles the disposition of the weapon.
 - f. Support Services will provide the Chief of Police with a report at the end of each year identifying the number of guns destroyed by the court order, returned to the owner, or forfeited to the department.

End of General Order 61.43



Waco Police Department General Order



Title: VICTIM SERVICES

Number: 61.45 Effective: 01/01/2016

Cancels: 61.45 Issued: 01/15/2005

Approved: 
Chief of Police

61.45.01 POLICY

The Department is dedicated to providing immediate intervention, information, education, and referrals to victims of crime and violent incidents. The manner in which a victim/witness is treated at the time of a crime and afterwards affects not only the victim's immediate and long-term ability to cope with the crime, but determines their willingness to assist in the investigation and prosecution of the case. Victim Services and the Department are committed to the development, implementation, and continuation of victim/witness assistance programs to aid victims and others in need.

61.45.02 OBJECTIVES

- A. To provide on-scene crisis intervention to victims and give information on appropriate assistance.
- B. To give needed support to victims, investigating officers and support personnel during primary and follow-up investigations.
- C. To increase contact with victims/witnesses and ensure that needed assistance/service is provided and coordinated with other service providers in the community.
- D. To treat victims/witnesses with fairness, compassion, dignity, and support which should increase the amount of cooperation shown by victims in the prosecution of cases.
- E. To advocate for victims' rights.

61.45.03 PROCEDURES

A. Victim Services Call-Outs

- 1. Victim Services should be contacted to respond in the situations listed below. It is a field supervisor or primary officer's responsibility to notify Dispatch to make the contact.
 - a. Homicides, fatality crashes, kidnappings, aggravated robberies, sexual assaults of adults or children, abandoned or missing children, assaults, suicides or when family members, friends, or witnesses of the above-mentioned incidents are visibly upset.
 - b. Family Violence offenses involving serious bodily injury. Victim Services is able to transport victims of Family Violence to the local shelter or Salvation Army, if needed.
 - c. Any time a person asks for a Victim Services representative.

2. If calling Victim Services is not necessary, or denied by the victim in one of the instances listed above, notification shall be made by calling the on-call Victim Services staff member. Dispatch has access to the on-call schedule at all times.
3. If the incident involves a crime scene, once the scene is secure, the officer in charge of the scene will contact Dispatch and request Victim Services to respond to the scene.
4. Officers will remain at the scene with Victim Services until the case is completed or the officer is no longer needed.
5. Family Code Section 262.009 allows employees and volunteers of the Victim Services Unit to assist law enforcement officers with the temporary care of a child who is taken into possession by a governmental entity without a Court Order, until further arrangements regarding the custody of the child can be made. Victim Services is able to care for the child/children until CPS or a family member arrives to take custody.

B. Death Notification

1. Victim Services, with the assistance of a field supervisor, is responsible to make all death notification.
 - a. Dispatchers notify a field supervisor and relay all information by telephone. Victim Services is also notified by Dispatch.
 - b. Victim Services then contacts the field supervisor to determine a location to meet to discuss relevant information.
 - c. Prior to notification, Victim Services and the field supervisor ensure that positive identification has been made.
 - d. If the incident is a criminal investigation and the case is being handled by Special Crimes, the Special Crimes Supervisor and/or the case investigator will assist Victim Services with the notification.
2. If the Supervisor and Victim Services are unable to contact the citizen, a note is left in a conspicuous place for the citizen to call the Department. The Supervisor notifies Dispatch if contact was not made and if a note was left. When the citizen calls back, the Supervisor and Victim Services will return to the citizen's location to deliver the message.

C. Victim Service Hours of Operation

1. The Victim Services Staff consists of a Director and two Victim Services staff members who generally work from 0800-1700 hours Monday-Friday. They are also available by cell phone 24 hours a day. Dispatch will have the Victim Services on-call schedule at all times. Employees and/or Victim Services volunteers on-call are, in most cases, able to respond to the scene of an incident within 30 minutes.
2. If a volunteer does not respond to a call out, the Director should immediately be notified by Dispatch. When the Victim Services volunteer shifts are not covered, the Director or staff members are available to respond to the call and gather victim information over the phone to be

able to follow up with the victim next business day.

3. The Victim Services Volunteer Coordinator is responsible for keeping current a list of phone numbers and hours of operations for Victim Services staff and volunteers in the Victim Services Unit and Dispatch.

D. Crime Victims' Rights (Article 56.03 CCP); Victims' Compensation (Article 56.32 CCP) (See the above articles for further crime victim information)

1. The Code of Criminal Procedure requires that local law enforcement agencies designate a person to serve as a crime victim liaison. The Director of Victim Services is responsible for this function but may delegate the duties to other Victim Services employees. According to the above, a victim of any of the following crimes will be notified of their rights:
 - a. someone who is the victim of sexual assault, kidnapping, or aggravated robbery who has suffered bodily injury or death as a result of the criminal conduct of another
 - b. the close relative of a deceased victim
 - c. the guardian of a victim
2. Crime Victims' Compensation is a financial assistance program that helps eligible victims with certain expenses related to certain crimes. Victim Services staff will ensure cases are reviewed and that an application and cover letter stating the victims' rights is mailed to victims who may qualify.
 - a. Victim Services staff will screen each crime report to ensure that each victim of a criminal attack who might qualify for aid is properly notified;
 - b. Officers or detectives working the case can refer victims to Victim Services to pick up Victims' Rights Cards and Crime Victims' Compensation applications in the Victim Services Office.



E. Miscellaneous

1. The Victim Services staff and/or volunteers will not discuss any of their cases with anyone other than the officers and/or detectives who are directly involved with the case or with a police supervisor.
2. Victim Services volunteers and staff will wear a Victim Services shirt, a WPD ID Badge, long pants and closed toe shoes when on call. When they ride with an officer, the same dress code applies.
3. Department personnel should contact the Director of Victim Services if operational or safety issues arise with any of the Victim Services staff and/or volunteers.
4. Victim Services volunteers report directly to the Volunteer Coordinator with any issues/concerns regarding calls or incidents within the unit. The Director will intervene when necessary or if disciplinary action has to be taken.

End of General Order 61.45

SSA-108 (b)(1)

[SSA-108 (b)(1)]

	Waco Police Department General Order	
Title: ACTIVE SHOOTING/ IMMEDIATE DEPLOYMENT POLICY		Number: 61.46 Effective: 01/01/2016
Approved: <u>Brent Edmonson</u> Chief of Police		Cancels: 61.46 Issued: 02/22/2002

61.46.01 POLICY

Due to ever-increasing acts of violence, law enforcement has had to re-think the standard operating procedures on how active shooting incidents are handled!

61.46.02 DEFINITIONS

Active Shooter - one or more subjects who participate in a random or systematic shooting spree, or use of any other form of deadly weapon (explosives, knives, etc.) demonstrating their intent to continuously inflict death or serious bodily injury to people

61.46.03 LEGALITIES**61.46.04 EQUIPMENT**

All members of the department Tactical Team shall carry their assigned weapons and gear in their vehicles while on duty. Shift commanders will maintain a list of these officers. Officers who have been assigned a Department-owned rifle shall carry their rifle in their vehicle when on duty. Individual

officers who have been trained and approved shall carry their personal rifles. All officers must be trained and range-qualified with their respective rifles before carrying it on duty.

61.46.05 PROCEDURES

B. Radio traffic will be moved to an alternate channel and a dispatcher will be assigned to the incident. All traffic will be restricted to emergency communications.

E. If a Tactical Team officer is on either team, they will assume the role of team leader.

F. Incident Command

1. The first supervisor on scene, who is not part of a Contact or Rescue Team, will establish a command post and implement the incident command system.

5. The uninjured victims should be evacuated from the scene with their hands in view at all times, and no backpacks, book bags, purses, etc.

6. It is extremely important that the Contact Team and Rescue Team quickly gather information from the victims as to the suspect's description, location, etc.

End of General Order 61.46



Waco Police Department General Order



Title: EXPLOSIVE BREACHING

Number: 61.47

Effective: 05/01/2008

Cancels: N/A

Issued: N/A

Approved:

Chief of Police

61.47.01 POLICY

During a crisis situation it may become necessary for the SWAT team to execute an entry into a hostile environment. It is critical that the point of entry be breached as quickly and safely as possible.

Explosive breaching, the use of explosive materials to effect an entry, is a useful tactical option. The Bureau of Alcohol, Tobacco Firearms and Explosives has determined that breaching charges designed and deployed by law enforcement personnel are NOT a destructive device under 27 CFR 479.11 (Ref. Letter to NTOA 12/06/2006, Chief of Explosives Division). Effective breaching techniques allow immediate entry with minimal risk to tactical officers, the victims, and the suspects. This technique enhances the speed and shock effect required of dynamic rescue or entry operations and can defeat barricades when other methods of entry are less practical. Explosive breaching may also be useful to pre-detonate any emplaced booby-traps known to be present at the crisis site.

Definitions

Explosive Breach: A technique of employing explosive materials to create an opening through a door, window, wall, or other barrier to allow access.

Breacher: A law enforcement officer trained in the construction, placement, and firing of explosive breaching charges.

Assistant Breacher: A law enforcement officer who works with and trains under the direction of the Breacher and can assist in the construction, placement, and firing of explosive breaching charges.

Explosive Breaching Device: A target-specific device constructed with explosives and non-explosive materials for the purpose of gaining entry into a structure.

Breacher' Report: A detailed form used to document the use of explosive breaching charges during training and actual operations.

61.47.02 GENERAL PROCEDURES

A. The option to utilize an explosive breach will be at the discretion of the SWAT Commander or his designee after consultation with the Breacher. Situations will include but not be limited to:

1. Barricaded subjects

2. Hostage situations
 3. Incidents involving firearms or active shooters
 4. Search/Arrest warrants
 5. Whenever speed and surprise is vital to the success of the operation.
 6. Anytime that conventional means of breaching will be ineffective.
 7. Anytime where conventional means of breaching have failed, or when the use of conventional methods place officers or innocent civilians in danger.
- B. The construction of all explosive breach devices shall be constructed or supervised by a trained officer, also called the Breacher.
 - C. Scouting and target analysis is an important pre-breach responsibility of the Breacher and/or Assistant Breacher.
 - D. Construction of the specific device to be used will vary from situation to situation. It will be designed based on the known target intelligence, experience, and training of the Breacher. A selection of certain pre-made charges will be on-hand at all times and available for immediate deployment.
 - E. Prior to setting the explosive breach, the Breacher will present a "Breach Brief", to the SWAT Commander, Supervisor, team members, and others involved in the situation.
 - F. Placement of the explosive breaching devices shall be performed by the Breacher or the Assistant Breacher.
 - G. The safe and tactically sound location of the entry team's "stack", will be determined by the SWAT entry team leader in consultation with the Breacher.
 - H. Once the explosive breaching device(s) are set and the entry team positioned, the firing device will be readied.
 - I. The entry team leader will direct the Breacher and/or Assistant Breacher when to initiate the charge(s).
 - J. At the conclusion of the mission, it will be the responsibility of the Breacher and/or Assistant Breacher to submit a "Breach Report", which details the specific composition of the explosive charge(s) used and their performance.

61.47.03 CONSIDERATIONS

- A. Explosive breaching charges are useful tools, however, they may not be appropriate in all situations. An explosive breach should not be employed when:
 - 1. The construction of the doors, walls, or target to be defeated is not known.
 - 2. There is a presence of unstable chemicals or other incendiary materials in close proximity to the crisis site.
 - 3. Other means of mechanical breaching would be more effective to provide positive entry, officer safety, and mission success.

61.47.04 SAFETY PROCEDURES

- A. All explosives will remain in control of the SWAT Team and be stored as appropriate to ensure their security.
- B. A medical plan shall be designed for missions and training where explosive breaching techniques are performed.
- C. The Breacher and/or Assistant Breacher will be in control of the firing device at all times to prevent an unintentional detonation by other persons.
- D. Dual-priming will be the standard procedure used to ensure positive detonation of breaching charges. Shock tube initiation systems shall be used. Any misfires will be handled only by the Breacher or other explosive breach trained officers.
- E. Safety clothing and equipment will be worn by all members of SWAT during explosive entry training and operations. This will include, but not limited to, long sleeve tactical uniform, gloves, eye protection, helmet, ballistic/load bearing vest and boots. During training and when operationally viable, team members will wear hearing protection. During training and when operationally viable, team members will use a ballistic shield to reduce the impact of potential debris.
- F. Any misfires and non-functioning explosive breaching devices are the responsibility of the explosive Breacher. The explosive Breacher will follow established procedures that may include the following:
 - 1. In the event of a misfire, the explosive Breacher will re-cock the initiator and fire the device again.
 - 2. In the event of a second misfire, the explosive Breacher will call for a secondary breach.
 - 3. Upon calling for a secondary breach, the explosive Breacher will remove the explosive breaching device and place it safely away from the team members. If a secondary breach location is not available, the lead line will be disconnected from the explosive breaching device, the explosive breaching device will be removed, and mechanical means of entry used at the primary entry point.

4. If the explosive breaching device cannot be rendered safe by the explosive Breacher, an explosive device disposal unit will be requested per department procedures.

61.47.05 SELECTION, TRAINING AND DOCUMENTATION

- A. All Breachers will attend a recognized explosive breaching course approved by the Department prior to performing operational breaches.
- B. Breachers and Assistant Breachers shall conduct additional on-going training to test and evaluate the types of charges best suitable for various targets.
- C. A Breaching Log will be maintained to document explosive entry training and operations. This log may be used as a database for future use when determining the most appropriate charge to be selected. All Breachers will maintain a Breacher's log book and complete a post Breacher's report when explosive breaching devices are used in training or during operational missions.
- D. The SWAT supervisory staff will choose team members they feel would best fulfill the requirements of the position.
- E. SWAT Team members who are certified explosive handlers and Breachers may be required to perform this duty after separation from their SWAT team duties at the discretion of the SWAT Commander.

61.47.06 STORAGE AND TRANSPORTATION

- A. An Explosive Inventory Log will be maintained for all explosives received and ultimately used by the SWAT Team.
- B. Blasting caps and initiating systems will be stored in a separate magazine from the explosive materials.
- C. Explosive breachers must maintain an "Access Log" for each explosive storage magazine.
- D. Access to the explosive store magazines will be limited to trained explosive breachers and the SWAT Commander or his designee.
- E. The explosive store magazines will be inspected for inventory and housekeeping by the explosive breachers on a quarterly basis.
 1. The explosive inventory will be stored in accordance with the Bureau of Alcohol, Tobacco and Firearms Requirements.
- F. A trained explosive handler must accompany explosives being transported in a vehicle.
- G. Blasting caps and explosives will be separated in the vehicle and will be carried in an appropriate container.

End of General Order 61.47



Waco Police Department General Order



Title: **LINE-UP PROCEDURE**

Number: **61.48** Effective: **05/01/2012**

Cancels: **61.48** Issued: **05/01/2008**

Approved: *Brent E. Chaman*
Chief of Police

61.48.01 POLICY

Valid eyewitness identifications are crucial to solving crimes and convicting criminals. Law enforcement agencies nationwide are always looking to improve the process of obtaining reliable identification.

61.48.02 INTRODUCTION

- A. The officer conducting any photo or live line-up should not know the identity of the suspect; the officer who doesn't know the suspect from the fillers cannot influence the process.
- B. Line-ups will be conducted sequentially (photos/persons are shown one at a time) and not simultaneously (photos/persons all shown at one time).

61.48.03 EYEWITNESS IDENTIFICATION PROTOCOL

- A. Whenever possible, the officer conducting a line-up (photo or live line-up) should not know the identity of the suspect. It is recognized that in some cases this will simply not be possible because no other appropriate officer is available. In these cases, the investigating officer can conduct the line-up using a blinded photo array procedure (e.g. the folder shuffle method).
- B. In all cases, show the witness the photos or persons comprising the line-up *sequentially* not *simultaneously*.
- C. All persons in the photo array or live line-up should be of the same sex and race and should be reasonably similar in age, height, weight and general appearance. Ideally, the characteristic of the filler should be consistent with the description of the perpetrator provided by the witness(es). Fillers should be chosen so that no person stands out in the live line-up or photo array.
- D. In order to strengthen the evidentiary value of the identification procedure, it should be documented in full. Video documentation is the preferred method. Audio recording is the preferred alternative. If neither method is employed, then the reason for not video or audio recording should be documented.
- E. Because they are highly suggestive, infield show-ups are vulnerable to challenges to their validity. Consequently, a show-up should be employed only where there are other indications of guilt (e.g. suspect located relatively close in time and place to the crime, physical description of suspect, etc.).

F. Special procedures are required for illiterate persons or persons who possess limited English proficiency.

1. Unless the administrator speaks the victim's or witness's language fluently, an interpreter should be used for persons who do not speak English. The interpreter shall sign the Witness Instruction Statement on obtaining consent of a non-English speaking person to assist in the eyewitness identification process.
2. If the person is unable to read, the administrator, in the presence of the witness, will give the explanation, read any forms, and obtain consent and acknowledge the consent on the Witness Certification Statement, stating why the person was unable to sign the form.

61.48.04 HOW TO CONDUCT A SEQUENTIAL LIVE/PHOTO LINE-UP OR SHOW-UP

A. The investigator will decide which one of the four methods to use.

1. Sequential, Blind Photo Array – photo arrays where the photographs are presented one at a time to the witness or victim by a person who does not know who the suspect is. This method requires a preparer who may be familiar with the case and administrator who does not know the identity of the suspect.
2. Sequential, Blinded Photo Array – photo arrays where the photographs are presented one at a time to the witness or victim by a person who knows who the suspect is, but who takes steps (putting the photographs in folders and shuffling them) to avoid knowledge of which person the witness or victim is looking at. This method typically involves an administrator who is familiar with the case and knows who the suspect is.
3. Sequential, Blind Live Line-up – live line-ups where the persons in the live lineup are presented one at a time to the witness or victim. This method requires a preparer who may be familiar with the case and an administrator who does not know the identity of the suspect.
4. Show-up – procedure where the witness or victim is presented with a single suspect and asked to identify whether that suspect is the perpetrator. This procedure can be carried out by any officer.

B. An administrator should be chosen that does not know which person in the photo array is the suspect. In those instances when a blind administrator cannot be used, the blinded administration method will be utilized.

1. The blinded administration method will require the investigator to place a filler in the lead folder, then shuffle the remaining folders containing the filler photos and the suspect's photo so the Investigator does not know the order of the array.
2. The blinded administrator will present each folder to the witness separately (one at a time), in order. The blinded administrator should not be in a position to view the photographs while the witness is viewing the photographs. The eyewitness should be the only person viewing the photographs. When the witness is finished viewing the photo, have the witness hands the folder back.

C. The Investigator should assemble the suspect's photo and at least five fillers in separate folders or if it is a live line-up, then secure the suspect and at least five fillers making sure the witness cannot

see either the suspect or the fillers. Always lead line-ups (Live and Photo Array) with a filler then arrange others in random order. Record this order on the Photographic Array Report Form (Attachment A.)

D. Read the witness the Sequential Presentation Form (Attachment B) and have them sign the form. If the witness refuses to sign the form, the Administrator can note that the witness was appropriately instructed.

E. Conduct the sequential blind line-up as follows:

1. Confirm that the witness understands the nature of the sequential procedure.
2. Present each photo to the witness separately in a previously determined and random order.
3. Remove each photo before presenting the next one.
4. Record both positive identification and non-identification results in writing on Attachment A, including the witness's own words regarding how sure he/she is.
5. Ask the witness to sign and date the results.
6. Document on Attachment A the line-up procedure, including:
 - a. Identification information and source of all photos/persons used;
 - b. Names of all persons present at the line-up;
 - c. Date and time of procedure.

F. Conduct the sequential blind live line-up as follows:

1. Confirm that the witness understands the nature of the sequential procedure.
2. Begin with all live line-up participants out of the view of the witness.
3. Present each person to the witness separately in a previously determined and random order.
4. Remove each person before presenting the next one.
5. Record both positive identification and non-identification results in writing on Attachment A, including the witness's own words regarding how sure he/she is.
6. Ask the witness to sign and date the results.
7. Document on Attachment A the line-up procedure, including:
 - a. Identification information and source of all photos/persons used;
 - b. Names of all persons present at the line-up;
 - c. Date and time of procedure.

G. Conducting in-field show-ups

1. Show-ups should be avoided whenever possible because of their suggestiveness. Photo arrays and live line-ups are preferred. However, where circumstances require the prompt display of a suspect to a witness, the following procedures should be followed to minimize potential suggestiveness.
 - a. Officers should use infield show-ups only where the suspect is detained within a reasonably short time frame following the offense, and
 - b. The suspect is found in relatively close proximity to the offense location.
 - c. Multiple witnesses to the same offense should be kept separated so as not to allow communication between them.
2. Transport witness to suspect
 - a. Transport the witness to the location of the suspect whenever practical rather than bringing the suspect to the witness.
 - b. The suspect may be taken to a location, other than the location of the offense or the victim's residence, where the witness can view the suspect for possible identification.
3. Officers should avoid conducting show-ups when the suspect is in a patrol car, handcuffed or physically restrained by officers unless such protective measures are necessary to ensure safety.
4. If one witness identifies the suspect, Investigators will use a photo array or a live line-up with any remaining witness.
5. The show-up administrator should give the witness a written copy of the Witness Certification Statement (Attachment C) and should read the instruction statement aloud at the beginning of the show-up identification procedure.
6. Present the suspect to the witness and ask the witness whether the person they are looking at is the person they saw commit the crime.
7. Document the witness's response using the witness's own words.

61.48.05 FREQUENTLY ASKED QUESTIONS

- A. **Do I use the same procedure for live lineups as photo lineups?** Yes.
- B. **Does this change the way I conduct in-field show-ups?** No. Since in-field show-ups are used to show the witness a single suspect apprehended near the scene, there is no danger of the witness making comparisons. In general, lineups are preferable to show-ups.
- C. **What happens if the witness picks out the very first photo/person? Do I continue with the rest?** Yes. Note the witness/identification and degree of certainty, but show the witness all the photos/persons.
- D. **If the witness wants to see a particular photo again, may I show it?** Yes, but you must show all

the photos/persons again in random order. In other words, if the witness says, "I want to see number three again," you should tell the witness that you will show the photos/persons again in the same order as originally displayed. The witness can spend as much and as little time on any one photo/persons that he or she wants.

- E. **Can a witness compare particular photos if he or she wants to?** No. The witness can only look at one photo/person at a time. Make sure that you remove one photo/person before showing a new one.
- F. **During an infield show-up, can a suspect be required to put on clothing worn by, speak words uttered by, or perform other actions of the suspect?** No.

End of General Order 61.48

PHOTOGRAPHIC ARRAY REPORT FORM
(Attachment A)

Case #: _____ Offense: _____
Defendant?Suspect: _____
Viewer: _____ Address: _____
Relationship to Case: _____
Date of Array: _____ Time: _____
Location Held: _____

Officers Present:

Name: _____ Assignment: _____
Name: _____ Assignment: _____
Source of Photos: _____

Persons Depicted in Photos:

Name:	DOB, Date of Photo, Other Information
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____

Photo Identified (If Any) _____

Did Viewer Initial front or back of Photo ID'd? _____

Comments on Nature of ID – Comments by Viewer (Recognizes Hairline, Glasses, Scars, Etc.
Also: Very Positive, Doubtful, A Could Be, Etc...

Reporting Officer/Official: _____

(Signature, Assignment, Department)

SEQUENTIAL PRESENTATION
(Attachment B)

In a moment, I am going to show you a series of photos or individuals. The person who committed the crime may or may not be included. Even if you identify someone during this procedure, I will continue to show you all photos [individuals] in the series.

Keep in mind that things like hair styles, beards, and mustaches can be easily changed and that complexion colors may look slightly different in photographs.

You should not feel like you have to make an identification. This procedure is important to the investigation whether or not you identify someone.

The photos or individuals will be shown to you one at a time and are not in any particular order. Take as much time as you need to look at each one. After each photo or individual, I will ask you "Is this the person you saw [insert crime here]?, yes or no?" Take your time answering the question. If you answer "yes", I will then ask you, "Can you describe how sure you are?"

Because you are involved in an ongoing investigation, in order to prevent damaging the investigation, you should avoid discussing this identification procedure or its results.

Do you understand the way the lineup procedure will be conducted and the other instructions I have given you?

"I have read these instructions, or they have been read to me, and I understand the instructions. I am prepared to review the photographs [or individuals] which will be presented to me, and I will follow the instructions provided on this form."

Signature

Date: _____

**SHOW UP WITNESS CERTIFICATION
STATEMENT
(Attachment C)**

In a moment, I am going to show you a person who may or may not be the person who committed the crime.

You should not feel you have to make an identification. It is as important to exclude innocent persons as it is to identify the perpetrator. The investigation will continue whether or not you make an identification. Take as much time as you need to make a determination.

Because you are involved in an ongoing investigation, in order to prevent damaging the investigation, you should avoid discussing this identification procedure or its results.

Do you understand the procedure and the instructions I have given you?

Signature

Date



Waco Police Department General Order

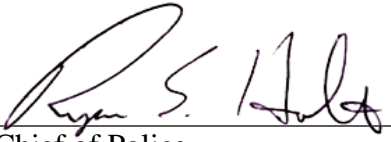


**Title: DEPARTMENTAL DIGITAL MEDIA
DEVICES & RECORDINGS**

Number: 61.49 Effective Date: 10/01/2018

Cancels: 61.49 Issued: 08/15/2018

Approved:


Chief of Police

TPCA: 2.01, 5.02, 5.03

61.49.01 POLICY

This policy provides guidelines for the use, management, storage and retrieval of audio-visual media recorded by Department systems. Any electronic document, report, audio, or video recording, image, email, voice communication, or any other form of electronic data created while on or off duty that is directly related to official department operations or investigations, whether created on personal or department-owned equipment, is considered to be a government record. As such, it is subject to public record laws, and it shall be preserved accordingly.

If any form of digital evidence exists, formal departmental reports will include a notation that such evidence exists, including the type of evidence and the storage location. The use of audio, video or other electronic recordings does not reduce the requirement to provide thorough written documentation of incidents. In addition to this order, employees are also subject to adhere to the City of Waco ADM-12 Electronic Media & Internet Usage policy.

The use of digital media to document employee actions is not intended to be a replacement for a thorough and detailed police report or taking a written statement. In situations requiring a police report, employees must still document all actions pertinent to the investigation and necessary for investigator follow up and prosecution. In situations requiring a written statement, digital media can be used to supplement, but not replace a written statement; however, this does not apply if the victim/witness refuses to provide a written statement.

61.49.02 DEFINITIONS

Recorded Media, Recordings or Videos – refers to photographic, audio and/or video signals recorded on any storage device, not limited to: analog tape, cassette tape, digital tape, CD, DVD, hard drive and removable digital media.

In-car Camera System and Mobile Video Recorder (MVR) – Synonymous terms which refer to any camera system installed in a Department owned motor vehicle that captures audio and/or video signals.

Body worn camera (BWC) and Body worn video recorder (BWVR) – Synonymous terms which refer to any camera system and video storage device worn on the person that captures audio and/or video signals.

61.49.03 OBJECTIVES

The use of digital recording systems provide an unbiased audio/video recording of events encountered by Department employees. These recordings can be useful for the documentation of evidence, the preparation of offense reports and future court testimony. These recordings can also protect employees from false allegations or provide actionable evidence in the case of actual misconduct. The recordings can be of use when debriefing incidents, evaluating performance and identifying training needs of the Department. The systems are intended to enhance officer and public safety, assist in complying with Racial Profiling statutes and assist the Department provide proper service to the community.

61.49.04 IN-CAR CAMERA SYSTEM AND MOBILE VIDEO RECORDER (MVR)

This subsection covers the use of the MVR systems.

61.49.05 GENERAL GUIDELINES - MVR

- A. In-car camera systems are inspected by officers at the beginning of their shift to ensure that the system is fully operational and the data on the monitor is accurate (time, date, etc.).
- B. Malfunctions, damage or theft of any recording equipment are reported, in writing, to the employee's immediate supervisor, or if unavailable, to another supervisor immediately.
- C. Personnel operating MVR equipped vehicles will synchronize their mic pac at the beginning of their shift and wear the mic pack to ensure that the audio portion of incidents is properly recorded. Personnel may choose to not wear an MVR mic pac ONLY if they are utilizing a Department owned Body Worn Video Recording device and properly following policy for its use.
- D. Officers ensure that the volume level from any device in their vehicle does not interfere with the clarity of the MVR recording(s).
- E. Officers use their in-car camera system to record criminal justice events.
- F. Backup officers should activate their in-car camera video cameras when responding to a criminal justice event or incident; in order to record additional perspectives of the event.
- G. Officers may view their recordings to assist in the preparation/completion of the officer's report.
- H. Employees will not erase, alter, reuse, modify or tamper with any original recording or equipment.
- I. Enhancements, redactions and other technological changes made to recordings shall only be made to copies of the original recording and only in accordance with statutory requirements. Such actions will only be carried out by those designated by the Chief of Police.
- J. The Patrol Office Sergeant coordinates the issuance and repair of mic pacs used by Patrol personnel.
- K. When an incident arises that requires the retrieval of any in-car recording media, one of the following personnel may be contacted to make a copy of a MVR recording for official use:

1. The Patrol Office Sergeant and designated supervisors in the Community Services (Patrol) Division will make copies for administrative and internal investigations; and
 2. Designated investigators in the Criminal Investigations Division will make copies needed for follow-up investigations.
- L. The Department's Digital Media Supervisor may be contacted after hours if a MVR recording needs to be manually downloaded onto the video storage unit.
- M. All recordings are kept secure in order to maintain the evidential Chain of Custody.

61.49.06 OFFICER RESPONSIBILITIES - MVR

- A. Personnel operating MVR equipped vehicles **must** activate their MVR equipment to continuously record audio and video in the following situations and continue recording for the duration of the event or incident. If an officer fails to activate the MVR device, fails to record the entire contact, or interrupts the recording, the officer shall document in their offense report or supplement why a recording was not made, was interrupted, or was terminated. In events where a case report is not normally required (ie. traffic stops), the employee will submit an administrative memo documenting the reason:
1. Traffic stops;
 2. High speed emergency driving responses;
 3. Vehicular pursuits;
 4. During any vehicular stealth approach (proceeding contrary to traffic laws without emergency equipment activated) when responding to any incident;
 5. Immediately upon the officer's involvement in a vehicular crash; and
 6. Transport of violent persons or persons of the opposite sex.
- B. Personnel operating MVR equipped vehicles **may** activate their MVR equipment to record audio and video in the following situations:
1. Pedestrian stops;
 2. Calls for service;
 3. Situations in which the officer believes a recording should be made.
- C. A vehicle containing inoperative DVR equipment should be removed from service and written up for repair. Non-functioning, MVR equipped patrol vehicles are not driven on patrol unless the need is urgent and the vehicle's use has been approved by a supervisor.

61.49.07 SAVING A RECORDING - MVR

- A. Officers are required to properly tag all video by encounter type; and assign a case number to any audio and/or video recording if such recordings have evidentiary value or could be needed for

some other important purpose (liability reasons, prove or disprove a citizen complain, etc.). If for some reason a recording needs to be saved but a report is not otherwise required, an officer should obtain a case number from Dispatch, assign that case number to the video to be saved and title the report as "Information Only".

- B. If a video needs to be saved and no report is being made, officers may also assign the video to a citation number if a citation was issued in association with the recording.
- C. If an officer is unable to assign a case number to a recording before ending their tour of duty, then the officer is responsible to assign a case number to their recording upon their return to work.
- D. All commissioned personnel who make recordings must follow the approved procedure using the system software when assigning a case number to a recording.
- E. Personnel using an in-car camera system will dictate, in their offense report, the unit number of the vehicle they were driving the day the recording was originally made.

61.49.08 SUPERVISOR RESPONSIBILITY - MVR

- A. Patrol supervisors ensure personnel under their command correctly know how to properly operate recording equipment.
- B. Supervisors document in writing the theft, intentional damage or unauthorized modification of any recording device and forward a memorandum through their Chain of Command for review and initiate an Internal Affairs investigation as required by policy.
- C. Supervisors ensure that their subordinates download any associated recordings of significant or major events as soon as possible. Supervisors may contact the Department's Digital Media Supervisor if a video needs to be restricted on the system and made unavailable for viewing.
- D. Supervisors review their subordinates' reports to ensure the procedures listed in this policy are followed.

61.49.09 INVESTIGATOR RESPONSIBILITIES- MVR

- A. Follow-up investigators shall verify that an officer has assigned a case number to evidentiary recordings. Investigators are responsible to ensure the recording has been properly tagged by type in the MVR system to ensure proper retention and note that fact in their supplement report. In the event of an arrest or other prosecution, investigators will make a DVD copy of the video evidence to be provided for the prosecution and discovery process.
- B. The investigator's supervisor shall notify the patrol officer's supervisor if the recording officer failed to assign a case number to a recording as required by this policy.

61.49.10 MISCELLANEOUS - MVR

- A. The master recorder "robot" is kept in a secure location at the Police Tower.
- B. Evidentiary DVD copies made of MVR recordings are kept inside the Property Room.

- C. The Digital Media Supervisor and/or Technician is responsible for ensuring new media is available for the DVD robot. Personnel burning the DVD copies are responsible for placing copies of evidentiary DVDs in the Property Room by case number.
- D. The Patrol Office Sergeant or Digital Media Supervisor may save or duplicate Administrative or Professional Standards and Conduct related recordings at the request of a supervisor with proper authority to request those recordings.

61.49.11 BODY WORN CAMERAS

This subsection covers the use of the Department issued and personally owned BWVR systems.

61.49.12 DEPARTMENT ISSUED BODY WORN DIGITAL RECORDING SYSTEM

- A. Employees equipped with a department issued BWVR system must be trained in the operation of the equipment prior to its use. BWVR equipment will be used in accordance with the BWVR operations manual. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policy and equipment.
- B. Employees assigned a BWVR shall wear the camera above the midline of their torso when working in uniform. Plainclothes employees shall wear the camera at or above the belt line. In all situations the BWVR will be worn in a position designed to produce an effective recording.
- C. **Exceptions to the duty to wear the issued BWVR are:**
- a. **Members of the Honor Guard actively engaged in Honor Guard related ceremonies; or**
 - b. **Employees while representing the Department, but out of the County and not actively engaged in enforcement activities; or**
 - c. **Employees assigned to multi-agency task forces whose operational procedures conflict with this order; or**
 - d. **Employees actively engaged in training in non-public facilities.**
- D. Employees who discover an operational defect with the BWVR system will attempt to correct the system following the received training on the device (i.e.: reseating cables, cycling the power, etc.) If the BWVR is found to have a physical defect or malfunction, the employee will notify the supervisor, and write up the device for service describing the events leading up to failure. The employee should immediately contact an on-duty supervisor or the Digital Media Supervisor to acquire a temporary replacement device.
- E. In the event that a BWVR is lost, the employee shall immediately notify his/her supervisor.
- F. Employees shall not:
- Bypass or attempt to override the equipment; or
- Erase, alter, or delete any original recording or original metadata produced by the BWVR; or
 - Attempt to erase, alter, or delete any recording or metadata produced by the BWVR; or
 - Distribute or allow the viewing of any recorded data without the permission of the Chief or their designee; or

- Upload any BWVR data to any social media site without the permission of the Chief or their designee.
- The BWVR may not be used for the purpose of intimidating an individual or to discourage an individual from making a complaint.

61.49.13 WHEN DEPARTMENT ISSUED BWVR SYSTEM USE IS REQUIRED

This section is not intended to describe every possible situation where the system may be used. In some circumstances it may not be possible to capture images of an incident due to conditions or location of the camera; however, the audio portion can be valuable evidence and is subject to the same activation requirements.

- A. All units responding to a scene shall activate their department issued BWVR equipment when they:
1. Initiate or continue a citizen contact for a criminal justice purpose; or
 2. Have detained or arrested a person; or
 3. Are attempting to detain or arrest a person; or
 4. By the nature of the call for service, are likely to detain or arrest a person.
- B. Examples of when the department issued BWVR system must be activated include, but are not limited to:
1. Traffic stops / Citizen stops / Consensual encounters initiated by the Officer for investigative purposes; and
 2. Pursuits or emergency response, until completion of enforcement action; and
 3. DWI investigations, including field sobriety tests; and
 4. Warrant service; and
 5. Investigatory stops; and
 6. Field or eyewitness identifications; and
 7. Obtaining suspect or witness statements.
- C. Any contact that becomes adversarial in an incident that would not otherwise require recording. In those situations, it may be impractical or unreasonable for employees to activate their BWVR system before taking police action. It is expected that once the immediacy of the situation is over, employees will activate their BWVR system to record the remainder of the incident.
- In addition to the required situations, employees may activate the system anytime they believe its use would be appropriate and/or valuable to document an incident.
- There may be instances in which an officer is required to take immediate action to an event that occurs directly in front of them which may not allow time to activate their BWVR. In these circumstances, the officer shall activate their BWVR as soon as practical that allows the officer to safely contain the situation.
- D. If an officer fails to activate the BWVR device, fails to record the entire contact, or interrupts the recording, the officer shall document in their offense report or supplement why a recording was not made, was interrupted, or was terminated. In situations where a case report is not normally required, (ie. Traffic Stops) the employee will submit an administrative memo documenting the reason.

61.49.14 WHEN DEPARTMENT ISSUED BWVR SYSTEM DEACTIVATION IS AUTHORIZED

- A. Once the BWVR system is activated it shall remain in record mode until the incident has concluded.
- B. For purposes of this section, conclusion of an incident has occurred when:
 - 1. All arrests have been made and arrestees have been transported to a detention facility;
 - 2. All witnesses and victims have been interviewed and contact has concluded;
 - 3. All persons on Emergency Detention Orders have been transported to a medical facility for evaluation and police action is unlikely; and
 - 4. All detained persons have been released; or
 - 5. The Officer leaves the scene and is no longer involved in the investigation or follow-up.
- C. Recording may cease if no further law enforcement action is likely to occur. The Officer shall verbally indicate on the recording device why they are turning off the recording (e.g., waiting for a tow truck or a family member to arrive, officer simply giving directions to a lost motorist).
- D. Officers should only use BWVR systems in patient care areas of medical or psychiatric facilities when the recording is for official business, and Officers shall be careful to avoid recording persons other than the suspect.
- E. Officers should be aware that under certain circumstances, e.g. victims in in various stages of undress, the officer may consider using only the audio capability of the device or stopping the recording and will explain the stopped recording in the officer's report.
- F. Recordings may be temporarily muted or paused in order for employees to engage in conversations about:
 - 1. Law enforcement related tactics; or
 - 2. Strategy related to the ongoing incident; or
 - 3. Police policy issues.

Employees who pause recording or mute their audio shall verbally note the reason for doing so on the recording. In addition, the employee should document the instance in their report if making one or in a memo if not making a report.

61.49.15 WHEN DEPARTMENT ISSUED BWVR SYSTEM USE SHOULD GENERALLY BE AVOIDED

- A. Activation of the BWVR system is not required:
 - 1. During break periods unless called to perform police action;
 - 2. When not in service and not on a call;
 - 3. When in service but not on a call.
- B. The BWVR should generally be powered off in the following situations:

1. During encounters with undercover officers or confidential informants outside of an enforcement scenario; or
2. During judicial proceedings; or
3. When engaged in conversations with individuals with whom the employee is in a legally recognized privileged relationship (e.g., spouse, attorney, police peer counselor, labor representative, minister, etc.); or
4. When in non-public areas of police facilities and not in contact with a person involved in an investigation; or
5. In police employee areas where a reasonable expectation of privacy exists (e.g., restrooms, locker rooms, or break rooms); or
6. During Departmental meetings or in meetings with other Citystaff, except those occurring during a criminal investigation; or
7. During supervisor / employee discussions about employee performance; and
8. Peace officers may not be required to activate their BWVR for their entire shift.

61.49.16 BODY WORN DIGITAL RECORDINGS AS EVIDENCE

- A. Employees will download all recordings captured on any BWVR system they carry by the end of their tour of duty. Employees will be allowed to view BWVR recordings to assist them in making offense reports or statements related to their actions.
- B. The authoring employee shall ensure that BWVR recordings are properly tagged, by type, in the BWVR system to ensure proper retention.
- C. Employees assigned a body-worn camera may use the camera at approved off-duty employment, but only in connection with Department duties. When used for this purpose, if the employee will not return to work in the next 24 hours, the employee shall upload all recordings capturing any arrest or use of force by returning to the Department as soon as is practically possible. For all other videos related to their off-duty employment, the employee shall upload the video during their next regularly assigned on-duty shift.
- D. Post recording responsibilities for employees related to BWVR recordings are the same as those found in 61.49.07, 61.49.08, and 61.49.09 as described for the MVR system except that BWVR videos do not need to be burned to DVD for evidentiary purposes unless needed for criminal proceedings and the judicial setting cannot take advantage of the cloud access.

61.49.17 PERSONALLY OWNED BWVR SYSTEMS

- A. Personally owned BWVR devices may not be used by an employee in lieu of a Department owned BWVR issued to that employee.
- B. Employees may purchase and use their own BWVR device if they have not been issued a Department owned BWVR device or for approved police related off-duty employment where the Department owned BWVR is unavailable; however, employees choosing to use a personally owned BWVR system shall adhere to this policy. In such a case;
 1. Employees will notify their supervisors that they have a personally owned recording device. If needed to preserve evidence, the employee may be asked to surrender the device upon demand of a supervisor.

2. All recordings made while working in any capacity as a Waco Police employee or through the authority as a Waco Police Officer become the property of the City of Waco and are subject to review and seizure pursuant to this policy.
3. Employees must submit recordings of an evidentiary value as evidence when using a personally owned BWVR system. Recordings will be copied onto a DVD or CD and submitted as evidence.
4. Should the personally owned recording device be damaged, the City will not be liable for repair, replacement or the cost of the device.

61.49.18 DIGITAL VOICE RECORDINGS

A. Employees may use digital voice recorders to record interviews of witnesses or suspects or in the authorized course of their official duties:

1. After capturing the recording, personnel shall transfer the recording to a city issued computer; and
2. After the download is complete, the recording shall be burned to a CD; and
3. The CD shall be tagged into the property room before the employee ends their tour of duty; and
4. After the availability of the recording on the computer and the CD tagged in to evidence has been confirmed, the employee will delete the original recording from the handheld device; and
5. The recording saved to the desk top computer will be retained until a disposition is received from the District Attorney's office, the US Attorney's office, or once the statute of limitations has run.

61.49.19 DIGITAL SYSTEM RECORDINGS

This subsection covers the use of all digital system recording devices.

61.49.20 REVIEW AND USE OF DIGITAL SYSTEM RECORDINGS

- A. Recordings will only be made for legitimate law enforcement purposes.
- B. All audio and/or video recordings obtained from Department owned equipment or created by on-duty employees during the course of their employment is owned by the City of Waco.
- C. Other than what is approved for release in in this policy, release of recorded media to persons or organizations outside of the Department is prohibited without specific approval from the Chief of Police or their designee.
- D. Approval from the Chief is not needed when furnishing an official recording to prosecutors, the City Legal Department or to WPD supervisors who have a legitimate need to review the recording. Approval is required by a Commander, with duties related to the specific case, or higher authority before a copy of a recording is released to another law enforcement agency.
- E. Recording of crime scenes or on-duty incidents and/or situations, etc. for personal use, use by outside entities or for anyone's financial gain is prohibited.

- F. Digital recordings shall not be reviewed by personnel for curiosity only. Only personnel with specific job related duties to the recording shall review such recordings. No recording shall be viewed, used or shown in a manner likely to result in ridicule or embarrassment of any employee.
- G. Employees shall not obtain, attempt to obtain, or convert for their personal use or for the unauthorized use of another person, any information obtained by a digital recording system whether Department or personally owned.
- H. Employees will not use department-owned equipment, electronic or otherwise, for personal benefit or to conduct personal business.
- I. Inappropriate use of electronic devices or the release or posting on the internet or other social media sites of another party's private information, or governmental information usually deemed private is prohibited and can lead to internal investigations and subsequent disciplinary action.
- J. This subsection outlines the review of department issued and personally owned digital system recordings.
 - 1. Recordings may be reviewed:
 - a. By the authoring employee to make sure the system is working; or
 - b. By the authoring employee to assist with the writing of a report, supplement, statement or memorandum; or
 - c. By authorized persons with direct responsibility for the purpose of reviewing evidence; or
 - d. By a supervisor investigating a specific act of their employee's conduct; or
 - e. By a supervisor reviewing their employee's performance; or
 - f. By authorized Department personnel participating in an official investigation, such as a personnel complaint, administrative inquiry, or a criminal investigation; or
 - g. By employees expressly designated by the Chief to have responsibility to review recordings.
 - 2. No digital recording system will be used to record another employee without that employee's consent unless part of a legitimate police incident. Officers should notify, when safe to do so, other sworn law enforcement officers of an activated BWVR if it is not readily apparent.
 - 3. Immediate supervisors shall:
 - a. Review all of their subordinates' vehicular pursuit videos and/or videos that involve the crash of any Department vehicle in the care or control of personnel under their command;

- b. Review a portion of the recordings of officers working under their command in order to assure that the equipment is being used according to policy and procedures to assess officer performance; and
 - c. Identify recordings that may be appropriate for use in the training classroom (submit copy to Training Sergeant).
4. Any employee who becomes aware of potential misconduct captured by a digital recording device shall immediately report the conduct to their chain of command.
5. Recordings may be shown for the purpose of training after having sought the permission of the Chief or their designee. If an involved employee objects to showing a recording, their objection will be submitted to their Chain of Command for the Chief's review to determine if the training value outweighs the employee's objection.
6. Employees will not release, share, discuss contents or make copies of any electronic documents, reports, audio or video recordings, images, emails, voice communications, or any other form of electronic data created while on or off duty that is directly related to official department operations or investigations, whether created on personal or department-owned equipment, unless specifically authorized by this order or the Chief of Police.

61.49.21 RETENTION AND RESPONSE TO REQUESTS FOR DIGITAL EVIDENCE

- A. Retention periods will comply with and requests for digital evidence will be fulfilled according to City Policy, State statutes and Federal law.
- B. All official recorded media must be kept a minimum of 180 calendar days.
- C. Otherwise, the retention schedule for recorded media is as follows:
 1. **Evidential recordings:** statute of limitations or State of Texas retention timetable, whichever is greater, from the date the recording was originally created;
 2. **Liability related recordings:** 3 years from the date the recording was originally created, except that recordings involving juveniles must be kept 3 years beyond the involved juvenile's 18th birthday. This requirement also applies to video where a "Use of Force" form has been filed, even if no criminal offense is filed.
 3. **Special circumstances:** a recording involving the use of deadly force by a peace officer or that is related to an administrative or criminal investigation of an officer must be maintained until all criminal matters have been finally adjudicated and all administrative investigations have concluded.

**End of General Order 61.49
09-28-2018**



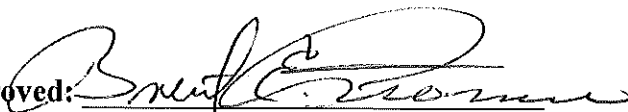
Waco Police Department General Order



Title: Unauthorized Use of A Motor Vehicle

Number: 61.50 Effective: 07/01/2009

Approved:


Chief of Police

61.50.01 POLICY

The purpose is to clarify when a report will be taken on Unauthorized Use of a Motor Vehicle. The following procedure must be followed to confirm the offender has been officially notified to return the vehicle and declines to do so. It is the responsibility of the reportee to meet these requirements. The vehicle will not be listed as stolen or a report made until the requirements of this procedure have been followed.

61.50.02 RESPONSIBILITIES

A. Officer

1. Officers will ensure that reportees have been informed of the reporting procedures to include handing out forms.
2. Officers will inform reportees that forms may be downloaded from the Waco Police Department Web Site.

B. Reportee

1. Send a demand letter via certified mail, return receipt requested, to the offender's last known address advising them they have ten (10) days to return the vehicle or theft charges will be filed against them. See Attachment A for sample letter.
 - a. Include a detailed description of the vehicle in the letter, including year, make, license plate number, vehicle identification number, color, style etc.
 - b. Make and retain a duplicate of the letter for own records.
2. If, after 10 calendar days you receive your return receipt, or the undelivered demand letter from the post office, and the vehicle has not been returned, come to the Records Section at the Police Departments at 721 N. 4th Street. Reportee shall provide:
 - a. A copy of the demand letter
 - b. The return receipt or the unopened letter with the receipt attached.
 - c. Title to the vehicle.

3. Reportee will be required to fill out a stolen vehicle affidavit, a statement describing the circumstances of the event and a desire to prosecute.

C. Records Supervisor/Tele Serve

1. Ensure all procedures have been followed and all forms including statements have been completed. If all procedures have not been followed, the reportee will be informed what must be done to complete the report process. Until the process is completed, a report will not be made.
2. Ensure all forms have been turned in:
 - a. Copy of demand letter
 - b. Title to the vehicle
 - c. Return receipt or unopened demand letter
 - d. Stolen Vehicle Affidavit (Attachment B)
 - e. Statement (Attachment C)
3. Issue a case number and enter the vehicle as stolen into TCIC/NCIC.
4. Make report.

D. Dispatch

1. Reportee is referred to Tele Serve or the Records Supervisor.
2. Officers will not be dispatched to take these reports.

END OF GENERAL ORDER 61.50

UNAUTHORIZED USE OF A MOTOR VEHICLE
DEMAND LETTER

DATE: _____

TO: _____

PRINT NAME

ADDRESS

CITY/STATE/ZIP

Dear Mr./Mrs. _____,

You are hereby notified that I _____ am the lawful owner of the motor vehicle in your possession. The vehicle is described as follows:

_____ YEAR	_____ MAKE	_____ MODEL	_____ STYLE	_____ COLOR
----------------------	----------------------	-----------------------	-----------------------	-----------------------

LICENSE NUMBER
(INCLUDE STATE)

VEHICLE IDENTIFICATION NUMBER (VIN)

You are instructed to return the motor vehicle to me in the same condition you received it, within 10 days of your receipt of this notice or felony charges will be filed.

Return the motor vehicle to:

STREET ADDRESS

CITY/STATE

ZIP

Sincerely,

SIGNATURE

Date: _____

Offense Number: _____

**Waco Police Department
Stolen Vehicle Affidavit**

Complainant: Name: _____ DOB: _____ SS# _____

Vehicle Description: Year: _____ Make: _____ Model: _____

Color: _____ VIN: _____

License Number: _____ State: _____

NOTICE – READ THIS LEGAL DOCUMENT CAREFULLY

- The above described vehicle was unlawfully taken and or stolen while under my control, without my knowledge or consent, and I did not trade, barter, or otherwise exchange my vehicle for any goods, services or other consideration involving, but not limited to drugs, money, prostitution etc.,
_____ (INITIAL)
- I agree to assist in the prosecution of the theft of my vehicle.
_____ (INITIAL)
- The above-described vehicle has not been loaned to and /or borrowed by any other person. _____ (INITIAL)
- I am aware that it is a Class B Misdemeanor offense under Texas State Penal Code, Section 37.08, to make a False Report to a Peace Officer by knowingly making a false statement that is material to a criminal investigation. The punishment for violating this statute is up to 180 days in jail and/or a fine not to exceed \$2,000.
_____ (INITIAL)

I swear or affirm the above is true and correct and did happen in Waco, McLennan County, Texas.

Signature of Reporting Person: _____ Date: _____

Complete Address: _____

Home Phone: _____ Work Phone: _____ Cell Phone: _____

Email Address: _____

Employee Signature and Badge Number: _____

Date and Time: _____

State of Texas
County of McLennan

Sworn to and subscribed before me on the _____ day of _____, 200__

(Personalized Seal)

Notary Public's Signature

Fecha: _____

Número de reporte: _____

**Departamento de Policía de Waco
Declaración Jurada de Autos Robados**

Demandante: Nombre: _____ Fecha de nacimiento: _____

Descripción del vehículo: Año: _____ Marca: _____ Modelo: _____

Color: _____ VIN: _____

Número de placa: _____ Estado: _____

ATENCION – LEA ESTE DOCUMENTO LEGAL CUIDADOSAMENTE

- El vehículo antes mencionado fue tomado ilegalmente o robado mientras estaba bajo mi control, sin mi permiso o conocimiento, y no lo he intercambiado o de ninguna manera convertido en otra propiedad, servicio o otra consideración que incluya drogas, dinero, prostitución, etc. _____ (INICIALES)
- Acepto asistir en la demanda del robo de mi vehículo. _____ (INICIALES)
- El vehículo antes mencionado no ha sido prestado a ninguna otra persona _____ (INICIALES)
- Estoy conciente de que hacer un Reporte Falso a un Oficial de la Policía es un delito menor Clase B bajo el Código Penal del Estado de Texas, Sección 37.08. El castigo por violar este estatuto puede llegar a ser 180 días en la cárcel y una multa no mayor de \$2,000. _____ (INICIALES)

Firma de la persona reportando el robo: _____ Fecha: _____

Dirección completa: _____

Teléfono de domicilio: _____ Teléfono de trabajo: _____

Firma del Oficial y Número de Placa: _____

Fecha y Hora: _____

Attachment D

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Notary Public's Signature

SEE BACK

SUSPECT INFORMATION

NAME: _____ DOB: _____

HEIGHT/WEIGHT: _____ AGE: _____

HAIR COLOR: _____ EYE COLOR: _____

ADDRESS: _____

WORK ADDRESS: _____

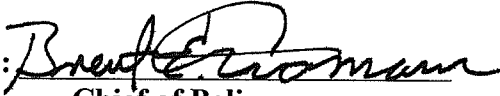
WORK PHONE: _____ HOME PHONE: _____ CELL PHONE: _____



Waco Police Department General Order



Title: **AUTOMATIC LICENSE PLATE** Number: **61.52** Effective: **02/20/12**
READER (ALPR)

Approved: 
Chief of Police

61.52.01 POLICY

The Department uses ALPR technology to locate wanted or missing persons, recover stolen vehicles and discover other criminal activity.

61.52.02 DEFINITIONS

ALPR Reader: An Automatic License Plate Recognition scanner is a device that uses cameras and computer technology to compare digital images of scanned license plates to the local, TCIC or NCIC databases that contain lists of stolen or wanted vehicles.

Scan File: License plates and vehicles viewed by an ALPR reader along with information regarding the location that those items were seen.

Hotlist: Lists of license plates associated with vehicles of interest that have been entered by Department personnel into the searchable ALPR device or database (wanted vehicle data from TCIC and NCIC is also downloaded into the ALPR system).

61.52.03 MISCELLANEOUS GUIDELINES

- A. Only officers trained on the use of an ALPR reader and who are authorized to access local, TCIC and NCIC files may use the ALPR device during their assigned shift.
- B. Patrol units equipped with ALPR equipment may not be driven through automated car washes.
- C. ALPR equipment is not altered, tampered with or modified in any manner other than normal installation and repairs.
- D. ALPR equipment is to be inspected at the beginning of the officer's shift. Damaged or inoperative ALPR equipment problems are reported without delay to the officer's immediate supervisor and a repair request submitted to the Patrol Office Sergeant for equipment in need of repair.
- E. Downloaded or scanned information from an ALPR reader:
 - 1. is used only for legitimate law enforcement purposes;
 - 2. may not be released to any person who does not have an official need for such information; or

3. may not be used for anyone's personal use or financial gain.
- F. Misuse of any information regarding the ALPR system will result in disciplinary action against the employee.
- G. Nothing in this policy prevents an officer from taking appropriate action based on probable cause developed independently from use of the ALPR system.
- H. Designated personnel are able to access data stored in the ALPR system. Persons may only request access to ALPR data if they have a specific investigative or police purpose that justifies their request.

61.52.04 ENTRY OF LOCAL ALERTS

- A. Any employee, with approval of their supervisor, may request that a local alert be entered into the ALPR device or database. An ALPR Data Entry Request Form must be completed so that the data (the alert) may be entered into the ALPR system.
 1. Entry of local ALPR alerts is done by designated NSS, DES, Special Crimes and PST personnel. Each of these workgroups appoints a primary and secondary person to serve as data entry clerks when creating these alerts.
 2. All ALPR Data Entry Request Forms are kept by the entering clerk in a designated location. In addition, the clerk keeps an ALPR log showing:
 - a. the date the alert was entered;
 - b. who requested entry of the alert;
 - c. a brief description of what the alert is about;
 - d. the date the alert was removed from the system; and
 - e. who requested the removal of the alert.
- B. The officer entering this alert must provide sufficient details in the alert about what the locating officer should do upon discovery of the suspect or wanted vehicle:
 1. Example 1: This vehicle may be involved in a series of burglaries. If a lawful traffic stop is made, document who is in the vehicle but do not tell the driver about this alert. Provide all information you received to Detective Smith at Extension #7500.
 2. Example 2: Call Detective Smith on his cell when this vehicle is found. Conduct surveillance only, do not make contact with the occupants unless they are committing a crime in your presence.
- C. **The officer who authorized entry of a local alert into the ALPR database shall remove or cause the removal of that alert from that database within 24 hours after the alert is no longer needed.**

61.52.05 ALERT/HIT PROCEDURE

- A. Officers are reminded that alerts/hits received from the local, TCIC and NCIC databases via the ALPR scanner are **not** based on real time data, therefore officers' investigative actions should take place only after the status of the alert/hit has been verified using live TCIC and/or NCIC data (see B. below) or some other method.
- B. If a hit or alert sounds after scanning a license plate, the officer must first:
1. verify that the scanned **license plate number** matches the exact license plate information shown on the computer screen as a result of an alert/hit.
 2. verify that the **state** of issuance on the scanned license plate matches the exact state information shown on the computer screen as a result of an alert/hit.
 3. Only after the officer has verified that the license plate number and state from the scanned license plate both match the information shown on the alert/hit, may the officer take action to:
 - a. cause contact to be made with the agency who entered the alert/hit to verify that their TCIC or NCIC computer entry is still active or valid;
 - b. contact their immediate supervisor for guidance if the employee needs help in deciding what action the officer should take in response to the alert/hit (i.e. make an arrest, conduct surveillance, contact SWAT, etc.).

61.52.06 FIXED CAMERA LOCATIONS

- A. If a stolen plate or other wanted vehicle is detected, the ALPR system will send an alert that a hit has occurred in the location of these fixed cameras.
- B. When this alert occurs, the appropriate notification is made and officers dispatched.

61.52.07 DISPOSITIONS

- A. The system provides a choice of disposition to choose from when closing out an actual, valid hit. When a hit occurs, the officer operating the ALPR system shall choose the appropriate disposition.

61.52.08 RETENTION OF DATA

- A. Unless needed for evidence in a case, license plate information captured by this system is kept for only 1 year from the date the data was originally scanned.

61.52.09 TECHNICAL SUPPORT

- A. PIPS Technology may be contacted at 1-865-392-5590 for technical assistance.

End of General Order 61.52

ALPR

Data Entry Request Form

Date: ____ / ____ / ____

Requesting person: _____

Year: _____

Make: _____

Model: _____

Color: _____

License Plate #: _____ **State:** _____ (only use if other than Texas)

Brief description about the alert:

Receiving Clerk's name: _____

ALPR

Local Alert Log

[illegible]



Waco Police Department General Order



Title: THEFT OF SERVICE

Number: 61.53

Effective: 07/19/2013

Approved: Brent E. Roman
Chief of Police

61.53.01 POLICY

The purpose is to establish guidelines for reporting, investigating and processing Theft of Service claims **involving written rental agreements**. The following procedures must be followed to confirm the offender has been officially notified to return the property and declines to do so. It is the responsibility of the reporting party to meet these requirements. A report will not be made until the requirements of this procedure have been followed.

61.53.02 RESPONSIBILITIES

A. Dispatch

1. Reporting party is referred to WPD Intake Personnel, Monday – Friday 0800 – 1700 hrs.
2. Officers will not be dispatched to a business to take these reports.

B. Reporting Party Shall

1. Send a demand letter via registered or certified mail, return receipt requested, to the actor at the address shown on the rental agreement or service agreement informing them they have 5 days to return the property if the value of the property is less than \$1,500 or 3 days if the value of the property is \$1,500 or more, or theft of service charges will be filed against them.
 - a. Include a detailed description of the property in the letter, including make, model, serial number, color, etc.
 - b. Make and retain a duplicate of the letter for their own records.
2. After 10 calendar days, if Reporting Party has received a return receipt, or the undelivered demand letter from the Post Office, and the property has not been returned, contact the Records Section at the Police Department at 3115 Pine, Waco, TX. The Reporting Party shall provide to the WPD Intake Personnel, Monday – Friday, 0700 – 1700 hrs.:
 - a. A copy of the demand letter.
 - b. The return receipt or unopened letter with the receipt attached.
 - c. Copy of the entire rental agreement contract with agreement number and customer signature, to include any renewal contract agreements.

- d. Cash value of the property.
 - e. Copy of all payments made, to show a total amount paid to date.
3. The Reporting Party will be required to fill out a Desire to Prosecute against the actor(s) named on the rental agreement.

C. WPD Intake Personnel

- 1. Ensure all Reporting Party procedures have been followed and all forms, including a Desire to Prosecute, have been completed. If all the requirements have not been met, NO report will be made.
- 2. Will ensure cash value of the property is more than the amount the actor(s) has paid. If cash value is less than amount paid, NO report will be taken.
- 3. If a Theft of Service case has previously been exceptionally cleared against the same actor(s) for the same property/agreement, NO report will be taken.
- 4. Issue a case number.
- 5. Make report.
- 6. Ensure all forms have been scanned into Optiview to be included with the case.

D. WPD Investigators

- 1. Will check with the Victim to see if the actor(s) have paid for or returned the property.
- 2. If it is discovered that a previous case has been exceptionally cleared on the same actor(s) for the same property/agreement, the case will be unfounded and the Victim contacted.
- 3. Make one attempt to contact the actor(s) to have arrangements made to pay or return the property (WPD will not be a collection agency).
- 4. If the actor(s) attempts to make payment and the Victim refuses to take the payment, the Victim will be contacted and informed the case will be exceptionally cleared and considered a civil matter.
- 5. If a warrant is obtained, the charge will be based on the outstanding balance against the cash value of the property. Example: Property is valued at \$700 and actor has paid \$300 to date, leaving \$400 owed. The charge would be Theft of Service >\$50<\$500 versus Theft of Service >\$500<\$1,500.

End of General Order 61.53



WACO POLICE DEPARTMENT

BRENT E. STROMAN
CHIEF OF POLICE
721 N. 4TH STREET
WACO, TEXAS 76701
254/750-7500
FAX # 254/750-7676

To Whom It May Concern:

In an effort to streamline the process for rental companies to make Theft of Service reports, the Waco Police Department has enacted a policy that will aid detectives in their investigation and assist in the prosecution of the case. The purpose is to establish guidelines for reporting, investigating and processing Theft of Service claims involving written rental agreements. The following procedures must be followed to confirm the offender has been officially notified to return the property and declines to do so. It is the responsibility of the reporting party to meet these requirements. A report will not be made until the requirements of this procedure have been followed.

Send a demand letter via registered or certified mail, return receipt requested, to the lessee at his/her address shown on the rental agreement or service agreement informing him/her they have 5 days to return the property if the value of the property is less than \$1,500 or 3 days if the value of the property is \$1,500 or more, or theft of service charges will be filed against them. Include a detailed description of the property in the letter, including make, model, serial number, color, etc. Make and retain a duplicate of the letter for your own records.

If, after 10 calendar days you receive your return receipt, or the undelivered demand letter from the post office, and the property has not been returned, contact the Records Section at the Police Department at 3115 Pine. The Reporting Party shall provide to the WPD records personnel:

- a. A copy of the demand letter.
- b. The return receipt or unopened letter with the receipt attached.
- c. Copy of the entire rental agreement contract with agreement number and customer signature, to include any renewal contract agreements.
- d. Cash value of the property.
- e. Copy of all payments made, to show a total amount paid to date.

If the lessee(s) has paid an amount greater or equal to the cash value, NO report will be taken. If a previous Theft of Service case has been closed by a detective because the lessee(s) returned the property and the reporting party wants to file charges against the same lessee(s) for another Theft of Service case, NO report will be taken. Waco PD detectives will make one attempt to contact the lessee(s) to have arrangements made to pay or return the property before a warrant is issued for the lessee(s) arrest.

We hope this will help establish a better and clearer working relationship between your business and The Waco Police Department.

Brent E. Stroman
Chief of Police



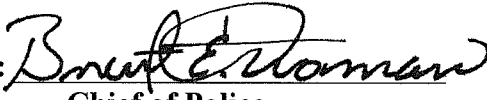
Waco Police Department General Order



Title: DEPARTMENT VEHICLES

Number: 62.01 Effective: 09/10/2014

Cancels: 62.01 Issued: 09/29/1998

Approved: 
Chief of Police

62.01.01 PROCEDURES

A. Use of Department Vehicles

1. Employees operating Department vehicles must have a valid Operator's License.
2. Citizens may be transported or permitted to ride in Department vehicles **only** when it is necessary to accomplish a police purpose or when approved by the Chief of Police or his designee.
3. Citizens* requesting to ride in Department vehicles follow procedures outlined in Department Order 26.02.

* **Note:** For the purpose of Section 1, **citizens** is defined to include, but is not limited to, off-duty Department Officers, out of town police officers, City employees, volunteers and **all** other persons.

4. Volunteers will not be allowed to operate City vehicles unless approved by a Commander or higher authority.
 - a. The supervisor of the volunteer will fill out a waiver of liability form, have the volunteer sign it and submit it through the chain of command.
 - b. The supervisor will check the criminal and driving record of the volunteer to ensure that the volunteer falls within the City's driving record point system, and attach it to the initial request.
 - c. Supervisors will instruct volunteers to notify them immediately of any changes to his/her driving or criminal record.
 - d. The supervisor will instruct the volunteer on proper operation of the vehicle and what to do in case of damage caused to the vehicle or involvement in a crash.

B. Inspection and Cleanliness of Vehicles

Employees operating a Department vehicle are responsible for the cleanliness and proper care of the vehicle.

1. Dirt, litter and unnecessary items are removed from the vehicle by the operator.

2. The last person driving the vehicle is responsible for its condition.
3. Before using any Department vehicle, employees inspect the vehicle and report any unrecorded damage or operational defects to their supervisor and make required reports.
4. Failure to report damage or defects creates the presumption that no inspection was made.
5. An employee does not alter or attempt any repairs to a Department vehicle without the proper authorization of a supervisor, except in an emergency. The employee tells their supervisor about any repair(s) made to their vehicle.

C. Vehicle Log

1. A vehicle on temporary loan to other divisions/sections is logged out by the employee driving the vehicle.
2. If a vehicle becomes disabled during an assignment, the driver reports on the appropriate Fleet Services form the following information:
 - a. The reason the vehicle was disabled.
 - b. The date and time the vehicle was disabled; and
 - c. The location of the vehicle. The vehicle must be left at the city garage or left on the police parking lot.

D. Operation of Department Vehicles

1. Except when operated as an authorized emergency vehicle under Chapter 546 of the Texas Transportation Code, Department vehicles are operated in compliance with all laws and ordinances and in a manner that will prevent injury to persons and/or damage to property.
2. Vehicles are not left unattended with the engine running except:
 - a. in an emergency;
 - b. when the driver or another officer is standing next to the vehicle; or
 - c. the vehicle is a K-9 vehicle occupied by a police canine.
3. When it is necessary to leave the area of the vehicle, vehicles are locked and unsecured equipment such as firearms, handheld radios, etc. are locked in the trunk or taken with the officer and the vehicle parked in the safest location practical. If the vehicle is unable to be secured, the employee shall contact their supervisor.

E. Operation of Patrol Vehicles

1. Each officer assigned a patrol vehicle will:
 - a. Ensure the vehicle is locked in compliance with this Order both during the officer's tour of

duty and at the end of the officer's tour of duty when the vehicle keys are turned in.

- b. Log on their activity sheet, the beginning mileage and ending mileage.
2. Each officer assigned a patrol vehicle is responsible for a complete and thorough search of the vehicle and must:
 - a. Search the interior (front seat, back seat and trunk) of the patrol vehicle both at the beginning and at the end of the officer's tour of duty. Property found in a patrol vehicle creates a presumption that the last officer driving the vehicle did not search the vehicle.
 - b. Report found property to his/her supervisor, tag the found property, and make the proper report for Found Property.
 - c. Remove personal property from the vehicle at the end of his tour of duty. Officer's personal property found in a vehicle is turned in to the Equipment Sergeant. A Found Property report is made when uncertain as to whether the property belongs to an officer or not.
 - d. Search the interior of the patrol vehicle after each detention of a suspect who has been placed inside the vehicle.
 3. The supervisor of the last officer who drove the vehicle receiving a report of found property investigates the incident and sends their report through the chain of command to their division Assistant Chief.

F. Department Vehicle Crashes

1. Definitions
 - a. **Preventable** – A crash in which the driver of the Department/City vehicle **failed** to do everything they reasonably could have done to prevent the crash
 - b. **Non-preventable** – A crash in which the driver of the Department/City vehicle **did** everything they reasonably could have done to prevent the crash.
2. Employees immediately report to their supervisor any crash involving any Department vehicle operated by them or in their charge.
 - a. A complete and thorough investigation is conducted by a patrol sergeant on every crash involving a Department vehicle that occurs within the corporate limits of the City of Waco and a written crash report is made. The original crash report is routed to the Records Section of the Support Services Division.
 - b. A copy of each on-duty job related crash of any PD employee is sent by the investigating supervisor to the Professional Standards and Conduct supervisor, to the employee's Assistant Chief of Police, and the Training Unit Sergeant for analysis.
 - c. Since peace officers do not have to release their home address and phone number under Texas laws, officers may use the Department address as their address when they are involved in a crash while driving a Department or City vehicle.

- d. The driver's immediate supervisor forwards a memorandum to the Chief of Police through their chain of command.
 - 1). The memorandum is written and processed according to procedures outlined in the Professional Standards and Conduct general order.
 - 2). The investigation reflects the investigating sergeant's determination as to whether the crash was Preventable or Non-preventable.
- 3. Employees involved in a traffic accident in a City vehicle outside the City of Waco will notify the law enforcement agency that has jurisdiction for investigating traffic accidents and request that an accident investigation be done.
 - a. The employee will notify his supervisor or if unavailable, an on-duty supervisor of the accident.
 - b. If the accident occurs within McLennan County and the employee's supervisor is on duty he will respond to the accident scene. If the employee's supervisor is unavailable, a Patrol supervisor will respond to the scene. The responding supervisor will ensure the Post Accident Testing is conducted as required by City policy.
 - c. If the accident occurs within McLennan County and the responding law enforcement agency does not complete a crash report a Patrol supervisor will conduct an investigation and forward a memo to the driver's supervisor. The driver's supervisor will conduct an investigation as described in F 2 d above.

End of General Order 62.01



Waco Police Department General Order



**Title: VEHICLE TAKE HOME/
MILEAGE REIMBURSEMENT POLICY**

Number: 62.02 Effective: 01/01/2016

Cancels: 62.02 Issued: 01/31/1995

Approved:

Bruce E. Roman
Chief of Police

62.02.01 POLICY

All employees are required to adhere to the provisions of the City Vehicle Policy. Any supervisor requesting an exception for an employee must do so in writing to the Chief of Police. Employees who use their personal vehicle for City business are compensated for mileage as outlined in the City Policy.

62.02.02 PROCEDURES

A. Positions Eligible for Take Home Vehicle/Mileage Reimbursement

1. **Administration:** Positions that serve as administrative advisors to the Chief and are responsible for supervision and direction on a twenty-four (24) hour, seven (7) day a week operation and/or subject to immediate response upon notification.
 - a. Assistant Chief, Support Services Division
 - b. Assistant Chief, Community Services Division
 - c. Assistant Chief, Criminal Investigations Division
2. **Mandatory On-Call Positions:** Restricted to McLennan County but must comply with City Vehicle Policy. Use of the vehicle is limited to those occasions where the employee is immediately available and can respond directly from their present location to crime/incident scene.
 - a. Special Crimes Sergeant
 - b. On Call Special Crimes Investigator
 - c. Crimes Against Children Sergeant
 - d. On Call Crimes Against Children Investigator
 - e. Forensic Investigative Sergeant
 - f. On Call Crime Scene Investigator
 - g. Accident Reconstructionist

- h. NSS Fatality Investigator
- i. On Call Animal Control Officer
- j. SWAT Supervisors and Officers
- k. Negotiator Sergeant
- l. Drug Enforcement Supervisors and Officers
- m. Canine Officers
- n. All Commanders

3. Section commanders may approve an employee's request to temporarily take a Department vehicle home, provided:
 - a. Vehicles are used for official business only
 - b. There is a specific reason, time period, and date(s)
 - c. Example: So employees will not have to make extra trips back to work in their personal vehicle (i.e. an employee knows he has to return for a meeting or special assignment after normal duty hours)
 - d. City vehicles will not be used to transport family members or other passengers not engaged in City business.

B. Exceptions

1. Any modifications or exceptions to this policy are granted by the Chief after approval of City Management.
2. Department policies pertaining to travel request outside the greater Waco area remain the same. This policy **only** pertains to employees **assigned a vehicle or allowed to use one for on-call purposes**.

C. Take Home Request Form

1. Employees currently assigned a Department vehicle and employees who take a police vehicle home at night (on-call, relieving division commanders, etc.) must complete and sign a Vehicle Take-Home form.
 - a. Distance is measured by highways-streets/roads
 - b. Distance is rounded off to the nearest tenth of a mile
2. Completed forms are submitted to the Chief's Office for approval.
 - a. A copy of each approved form is returned to the applicable employee

- b. An employee who does not qualify to take a vehicle home under the current City Policy, but is subject to being on call, is authorized mileage reimbursement expense in accordance with City Policy.
3. Blank and completed Take Home Request forms are maintained by the Planning and Budget Section.

D. Mileage Reimbursement

1. Employees that use their personal vehicle for on-call purposes are offered mileage reimbursement as follows:
 - a. Each employee completes a Travel Expense Report Form
 - b. The form is maintained for one (1) month
 - c. After the employee's supervisor approves the mileage reimbursement it is submitted to Planning and Budget.
2. Questions or complaints about mileage reimbursement are directed to Planning and Budget.

End of General Order 62.02



City of Waco
City Vehicle Justification Form

Please complete one form per employee taking home a City vehicle;--- either for the first time or if any information changes after the form is initially approved. Employees should not take home a vehicle until an approved form (signed by all required supervisory levels) is returned to the department from Human Resources.

EMPLOYEE NAME: _____ DEPT: _____

EMPLOYEE POSITION TITLE (or Civil Service rank): _____

CURRENT HOME ADDRESS _____

* OR ALTERNATE PROPOSED SECURE LOCATION TO LEAVE VEHICLE _____

- ☐ INSIDE CITY LIMITS ☐ OUTSIDE CITY LIMITS
☐ OUTSIDE MCLENNAN COUNTY

Enter # miles one way from
normal job assignment to
location _____

DATE BEGAN TAKING VEHICLE HOME: _____

ESTIMATED NUMBER OF CALL-OUTS IN A TYPICAL YEAR: _____

TYPE OF VEHICLE: _____ UNIT & EQ #: _____

Indicate if Vehicle / Unit has any of the following characteristics:

- ☐ Clearly marked police/fire vehicle or unmarked, authorized law enforcement vehicle
☐ Vehicle carrying cargo with loaded gross vehicle weight over 14,000 lbs.
☐ Pick-up truck with loaded gross vehicle weight of 14,000 lbs or less, and equipped with hydraulic lift gate, permanent tank(s)/drums(s); permanent side boards, raising level of sides of truck bed, or other heavy equipment (I.e., electric generator, welder, boom, etc.)

JUSTIFICATION:

1. DESIGNATED (ASSIGNED) VEHICLE: *list frequency-such as: daily, 1 week every 4 weeks, 2 weeks every 12 weeks*

2. ROTATION ON-CALL VEHICLE: *list frequency-such as: 1 week every 4 weeks, 2 weeks every 12 weeks*

NORMAL NUMBER OF DAYS IN WORK WEEK (4 or 5 Days): _____

I hereby certify that the information provided above is true and accurate. I acknowledge that I have received a copy of the City of Waco's Vehicle Policy (GP&P-6). I have read and understand this policy:

Employee Signature

Date

Employee Number

APPROVED-DEPT/DIV/MGR: _____ Date: _____

APPROVED-CITY MGR OFF: _____ Date: _____ (Effective date)

RECVD-HUMAN RESOURCES: _____ Date: _____

APPROVED COPY RETURNED FROM HR TO DEPARTMENT Date: _____

NOTE: If an employee has previously been approved to take a City Vehicle Home and is reassigned to a new position, or moves to a new address, the employee's take home vehicle status is subject to review and re-authorization. [Revised 10/14/2015]



SIGNATURE OF EMPLOYEE	TOTAL MILES	0	@	0.575	\$	\$0.00
-----------------------	-------------	---	---	-------	----	--------

**DEPARTMENT
APPROVAL**

Copyright © 2010 Pearson Education, Inc. All rights reserved. Printed in the United States of America. This publication is protected by copyright. Any unauthorized reproduction or distribution, in any form or by any means, without the prior written permission of Pearson Education, Inc., is prohibited. This publication may be reproduced in whole or in part for personal or internal reference use only. For more information, contact Pearson Education, Inc., 501 Boylston Street, Boston, MA 02116, USA. ISBN 0-205-76210-1



Waco Police Department General Order



**Title: PROCESSING SUBPOENAS
FOR DEPARTMENT EMPLOYEES**

Number: 63.01 Effective: 01/01/2016

Cancels: 63.01 Issued: 03/03/1999

Approved: 
Chief of Police

63.01.01 PROCEDURES

A. Responsibility

1. Each division/section assigns an employee as a Subpoena Coordinator. A Relief Coordinator is also assigned. The Subpoena Coordinator is responsible to:
 - a. Process subpoenas
 - b. Maintain a current work/vacation schedule for each employee. The schedule for each section will be placed on the M Drive.
 - c. Assist persons serving subpoenas
2. The Subpoena Coordinator maintains access to work schedules for employees in his respective division/section. Employees are responsible for notifying their Subpoena Coordinator of any unscheduled absences and/or any scheduled changes.

B. Processing Subpoenas

1. Civil Cases/Lawsuits

- a. Persons serving subpoenas are directed to the employee's division/section during business hours.
- b. The Subpoena Coordinator determines if the employee is working. If so, arrangements are made for the employee to be served the subpoena.
- c. If the employee is not on duty, the M Drive will be checked for the employee's schedule. The person serving the subpoena will be given the employee's work schedule. Home addresses and telephone numbers are not given out for the purpose of service civil/lawsuit subpoenas. Also, employees do not spend time attempting to locate off- duty employees for this purpose.

2. Criminal Cases

- a. Persons serving subpoenas are directed to the employee's division/section.
- b. The Subpoena Coordinator determines if the employee is working or is scheduled to work prior to the appearance date on the subpoena. If so, the subpoena is accepted and forwarded

to the employee.

- c. The subpoena is not accepted if the employee is on vacation or otherwise not scheduled to work prior to the appearance date.
- d. Department employees assist persons serving criminal court subpoenas on employees who are not on duty by attempting to call the employee at home. If the employee cannot be reached, their city cell phone number may be given to the person attempting to serve the subpoena if they are employed by a criminal justice agency.

End of General Order 63.01



Waco Police Department General Order



**Title: CARE AND CUSTODY
OF PRISONERS**

Number: 63.02 Effective: 06/22/2018

Cancels: 63.02 Issued: 01/07/2015

TPCA 10.01, 10.02, 10.10, 10.22

Approved: _____
Chief of Police

63.02.01 POLICY

The Department provides for the safety and security of prisoners, and other persons in the care and custody of the Department. The Civil rights of prisoners will not be violated (Penal Code, Chapter 39, Sec. 39.04)

63.02.02 PROCEDURES

A. General Operation

1. Prisoners and persons in the care and custody of the Department shall not be mistreated in any way. Personnel have the duty to immediately intervene, when possible to prevent mistreatment of prisoners or persons in the care and custody of the Department. In addition, personnel have a duty to report such mistreatment to their chain of command as soon as is practical considering the safety of the officers and the prisoner.
2. Arrested persons are thoroughly searched by officers for weapons and contraband, handcuffed and the handcuffs double-locked before being transported.
3. Prisoners transferred to other officers are to be searched by the receiving officer prior to transporting.
4. Officers assigned patrol vehicles conduct a complete and thorough search of the vehicle both at the beginning and end of a tour of duty, and prior to and after any person is transported in the vehicle for any reason.
5. Officers ensure proper care is taken of property that is confiscated or taken from any arrested or detained person.
6. In police vehicles equipped with a cage, prisoners are transported in the back seat of a caged patrol vehicle.
7. Prisoners transported in non-caged vehicles ride in the front passenger seat. A second officer sits in the back seat.
8. Prisoners must be monitored by an officer while in Department vehicles.
9. Prisoners are given reasonable opportunities to use restroom facilities (i.e., prisoners

transported long distances).

- a. Officers take into account time and distance to their destination.
- b. Prisoners are not left alone while using restroom facilities, except when the officer and prisoner are of the opposite sex.

10. Officers transporting prisoners do not respond to any call for law enforcement service unless:

- a. Life threatening circumstances exist
- b. Serious injury to any person is likely
- c. There is a request for emergency assistance from another officer

11. Persons wanting to communicate with prisoners in custody:

- a. Officers may allow persons to communicate with prisoners taking into consideration need and safety but officers will not allow physical contact between the person and the prisoner.
- b. Prisoners are not left alone with non-law enforcement personnel.

12. When transporting prisoners, the transporting officer notifies the dispatcher of departure place, beginning and ending mileage and upon arrival at the jail.

13. Dispatcher notifies the County Jail when officers are in route with a prisoner.

B. Special Transport Situations

1. Transporting physically or mentally challenged persons may require additional officers or a special vehicle to ensure officer and prisoner safety.

- a. Restraining devices are used as necessary.
- b. In extreme cases, the assistance of an ambulance or a vehicle equipped to transport the handicapped may be needed.

2. Officers will activate the in-car camera and video when transporting violent prisoners, prisoners making accusations against police personnel, making incriminating statements, and other times when the officer believes recorded documentation could assist/protect the Department and its employees.

C. Escape of Prisoner During Transport

1. The transporting officer notifies:

- a. Dispatch has general information broadcast to other units.
- b. The officer's immediate supervisor.
- c. The on-duty shift commander.

2. Reports

- a. The transporting officer completes an offense report using the appropriate charges.
- b. The officer's immediate supervisor reviews the circumstances of an escape and determines whether the situation warrants a personnel complaint or an administrative report which is then forwarded through the chain of command.

3. Escape Occurring Outside of Jurisdiction

- a. Officer immediately calls for backup from the local police agency having jurisdiction where the escape occurred.
- b. The transporting officer attempts to locate the prisoner in the immediate area.
- c. If the prisoner is not found, officer(s) make an offense report with the local police agency, giving the prisoner's description and authority to transport.
- d. Officers are to notify the on-duty WPD shift commander as soon as practical.

D. Restraining Devices

1. Handcuffs and Restraints

- a. All persons taken into custody are handcuffed behind their back to ensure safety of the officers and other citizens. The exceptions to this rule are:
 - 1). When the person has an injury that does not permit his/her arms to move behind their back.
 - 2). When the person's age, physical condition or physical limitations may also indicate a change in this procedure is needed.
 - 3). When the tactical or investigative situation indicates an exception is appropriate.
- b. After handcuffing a person, the handcuffs are double-locked. The exception to this is when the arrest environment is tactically unsafe for the officer to double-lock the handcuffs.
- c. If a person complains the handcuffs are too tight, the officer should (when tactically feasible), ensure unnecessary tightness does not occur.

2. Additional Restraints

- a. Due to the continuation of resistive and/or violent behavior, officers may find it necessary to use additional restraints to control an arrested person. If officers have been trained in the proper use of these devices, they may use Department issued arm/leg restraints.
 - 1). **Prisoners will not be "hog-tied"** by any means (leg restraint, rope, leg irons, etc.). Hog-tied means a person's arms and legs are restrained together in a manner that they apply oppositely opposing pressure.

- 2). Officers should avoid placing a person who has been controlled by the use of leg restraints in a prone position face down.

3. Transporting Prisoner with Handcuffs/Restraints

- a. Unless exceptional circumstances exist to prevent doing so
 - 1). All prisoners should be transported in an upright seated position. If the transport vehicle is equipped with seat belts in the prisoner area, these will be used to ensure safe transport.
 - 2). When feasible, only arrested persons of the same sex and age group are transported together (i.e., adult/juvenile).
 - 3). Prisoners are not handcuffed to any part of the vehicle during transport.
- b. Ankle cuffs and handcuff belts may be used for transporting prisoners long distances.

E. Medical Care of Prisoners

1. In case of injury, illness, unconsciousness or other condition of an arrested person indicating medical attention is needed, the transporting officer is responsible to see that the prisoner receives medical attention prior to booking.
 - a. Officers notify their supervisor as soon as practical after encountering an ill or injured prisoner.
 - b. Taking into consideration the nature of the injury or illness and the security risk, officers may call an ambulance to transport prisoners.
 - c. If an ambulance is not needed, officer transport prisoners to medical facilities.
 - d. Offense Reports are made by the arresting officer or the officer who has custody of the prisoner and include:
 - 1). If the injury or illness occurred during or prior to the arrest.
 - 2). Hospital or location where medical care was received.
 - 3). Doctor's name.
 - 4). Other pertinent information.
2. Taking into account the nature of the offense and the escape risk, supervisors may assign officers to guard prisoners at medical facilities, until a warrant is issued and the prisoner is transferred to the county, at which time the prisoner becomes the County's responsibility.

F. County Jail Procedures

1. Arrival

- a. Entry is made into the sallyport.
- b. Firearms and knives are secured in the lock box located in the sallyport or in the trunk of the officer's patrol car prior to removal of prisoners.
- c. The transporting officer is responsible for unloading the prisoner.
- d. Prisoners are searched by County jailers prior to entry into the booking area.
 - 1). Prisoners are escorted to the booking desk by Jailers. Prisoner's property is given to Jailers
 - 2). If prisoners are unruly or if jailers are busy, prisoners are taken to a holding cell and booked later. Officers attempt to obtain the prisoner's name and date of birth.
 - 3). County Jailers are told of security risks or suicide potential of persons brought to the Jail.
 - 4). Officers are responsible for booking prisoners, completion of a Form 6 and any other necessary paperwork.

2. Communications

- a. Records supervisors receive all arrest paperwork on persons who are arrested and contact a County Jailer if problems exist.
- b. Public inquiries are handled by Records supervisors if the PIO is unavailable.

3. Interview of Prisoners

- a. Officers may interview prisoners in the interview room located adjacent to the booking area. Prior to the interview, the prisoner is read their Miranda Warning.
- b. Prisoners may be brought to the police building in accordance with County Jail release procedures, but such releases are kept to a minimum.
 - 1). Officers are responsible for the safety, security and protection of prisoners.
 - 2). Prisoners are positively identified by Jail Records prior to their removal from jail.

4. Attorneys and Bondsmen

- a. Employees do not make suggestions or recommendations as to any specific attorney, bondsmen or agency as counsel to persons coming in contact with Department employees as a result of police business.

- b. Employees do not carry personal items bearing the name, address or telephone number of any person or business engaged in the bail bond business while on duty.

G. Documentation

1. Arrest Report forms, Warrantless Affidavit, and DIC paperwork if appropriate are completed by the arresting officer or the officer who has custody of the prisoner and a copy faxed to Records.
2. Complaints are completed and notarized on all charges.
3. Impound Cards are turned in and logged into the PST immediately after leaving the jail.
4. Warrants
 - a. Copies of warrants are faxed to the County Jail by Records' employees.
 - b. Class C Warrants are given to the Records Supervisor to be forwarded to municipal Court.
 - c. All other warrants are sent to the investigative section responsible for that offense.
 - d. Warrants are put in the tray by the Back Desk by Records employees.

End of General Order 63.02



Waco Police Department General Order



Title: PRISONER SEARCHES

Number: 63.03 Effective: 01/01/2016

Cancels: 63.03 Issued: 11/09/1992

Approved:

Brent E. Dorman
Chief of Police

63.03.01 DEFINITIONS

- A. Strip Search:** Removal of all clothing. Arrestee stands and moves so as to reveal body exterior fully.
- B. Body Cavity Inspection:** After strip search, arrestee manually exposes genital and cavity area so as to reveal cavity.
- C. Body Cavity Search:** After body cavity inspection, medical personnel pursuant to warrant physically probe genital and cavity areas.

63.03.02 PROCEDURES

A. Search Incident to Arrest

- 1. Arrestees are searched at time of arrest and prior to being placed in the police vehicle. If safe to do so, conduct the search on camera.
- 2. Whenever possible, searches that require checking under clothing, or areas of the body which are considered private, should be conducted by an officer or employee of the same sex.

B. Strip Searches

- 1. Strip searches are, by their nature, intrusive. Strip searches are permitted of an arrestee to protect the safety of officers, to maintain order in jails, and to disclose the fruit of a crime. However, strip searches of persons arrested for traffic and other minor offenses are only permitted when there is reasonable suspicion to believe the arrestee is concealing contraband or weapons
- 2. Factors to be considered to determine whether a strip search is necessary:
 - a. What information exists indicating that an arrestee/custodial prisoner may be concealing contraband or weapons;
 - b. The security needs at a detention facility;
 - c. The nature or seriousness of the charge against the arrestee/detainee;
 - d. Whether the arrestee/detainee has any prior convictions or arrests for offenses involving

weapons that may be concealed or contraband.

3. The justification for a strip search and the names of all persons present for the search are included in the officer's report narrative. A supervisor shall be contacted for approval without exigent circumstances.
4. Whenever possible, strip searches are conducted by officers or employees of the same sex as the prisoner.
 - a. Strip searches are conducted at the county jail.
 - b. The **County Strip Search Authorization** form is completed and signed by the arresting officer and a police supervisor prior to the search being conducted.
 - c. Only those persons required to be present are allowed in the room.
 - d. Employees refrain from any comments or conversation other than that necessary to conduct the search.
 - e. A strict level of professionalism is maintained, with great care taken to avoid any unnecessary embarrassment for the arrestee.

C. Body Cavity Inspections/Searches

1. If there is probable cause to suspect contraband (drugs, weapons, stolen property, etc.) is concealed within the body, the arresting officer must:
 - a. Seek written consent to voluntary removal of the item by an officer of the same sex, medical staff or in rare circumstances, the arrestee; or
 - b. If written consent cannot be obtained, State law requires an officer obtain a search warrant. The prisoner should be continuously monitored pending a medically supervised search pursuant to a warrant. Exigent, emergency circumstances may, with great caution, justify search without a warrant, such as when the item sought is extremely dangerous or unusually harmful or important and lack of time exists to obtain a warrant and medical personnel; in such cases, employees consult the Police Legal Advisor or District Attorney.
2. If there is not probable cause to suspect contraband concealed within the body, the arresting officer must seek written consent to a visual inspection and voluntary removal of the item only when the case involves the type of offense covered in C.1. above. In all other cases where no probable cause exists, no body cavity inspection is conducted or sought.
3. Officers and persons to be inspected/searched are of the same sex.
4. If an officer has probable cause to believe a subject has evidence in their mouth, reasonable force may be used to recover the evidence.
 - a. Factors to be considered in use of force to prevent swallowing include:
 - (1). The force used by officer compared with that used by the suspect.

- (2). The use of instruments to extract evidence.
- b. Officer must be careful not to use force that presents danger to the life of the suspect, such as choking.
 - c. Extreme caution should be used to prevent an officer from being bitten or injured when attempting to extract evidence.

End of General Order 63.03



Waco Police Department General Order



**Title: ARREST AND SEARCH
WARRANTS**

Number: 63.04 Effective: 01/01/2016

Cancels: 63.04 Issued: 0/20/1994

Approved: 
Chief of Police

63.04.01 POLICY

All employees comply with Department policy, procedures and guidelines, statutory provisions of the Texas Code of Criminal Procedure, U.S. and State Supreme Court Procedures when executing arrest/search warrants. Only sworn officers execute arrest/search warrants.

63.04.02 PROCEDURES

A. Responsibility for Felony and Class A and B Misdemeanor Warrants

1. Support Services Division - TLETS Room

- a. Maintains warrants until arrest is made, or warrant is withdrawn
- b. Maintains a log of warrants
- c. Returns warrant to Primary Investigator after arrest or withdrawal
- d. Maintains warrant return log with date and signature

2. Officers obtaining a felony or Class A or B misdemeanor warrant complete a Wanted/Cancellation form and deliver it to the TLETS Room for entry

B. Responsibility for Municipal Courts Warrants and Capias Pro-fines

1. Support Services Division - TLETS Room

- a. Receives all warrants and capias pro-fines issued by Municipal Court along with the white copies of the ticket
- b. Assigned TLETS personnel enter each warrant or capias into the computer's active warrant section. This does not include parking citation warrants.
- c. Original are filed by TLETS Room personnel

2. Warrant Officer

- a. The Warrant officer actively attempts to serve all warrants and capias pro-fines

b. Arrest/Collection Procedure for all Officers

- (1). All officers are responsible for serving warrants and capias pro-fines upon coming into contact with wanted persons
- (2). Officers confirm warrants and capias pro-fines through Communications personnel before making an arrest
- (3). Officers may execute an arrest warrant for traffic offenses, capias pro-fines or Class C Misdemeanors in any place within McLennan County by:
 - (a). Requesting the appropriate agency to serve the warrant
 - (b). Notifying the appropriate agency that officers will be attempting to serve a warrant in their jurisdiction,
- (4). Good judgment is used in determining the time and manner in which warrants or capias pro-fines are served
- (5). Any person with the necessary cash or a check from a local bank may be followed or driven to the Department and allowed to pay, in lieu of arrest
- (6). **No payment of any type** is accepted by any officer other than the Warrant Officer(s)
- (7). During normal business hours, the Warrant Officer is dispatched to the front counter to transport persons wanted on traffic warrants, Class C warrants and capias pro-fines to the County Jail and complete the paperwork on wanted persons. At any time other than normal business hours or when the Warrant Officer is not available, Patrol Officers will be dispatched to the front counter.
- (8). Unless authorized by the Shift Commander, officers are not dispatched to jurisdictions outside the City limits to pick up persons(s) wanted on traffic and Class C warrants when these types of warrants are the only basis for the dispatch.

3. Class C Warrants from Other Agencies

- a. Class C warrants, traffic warrants or capias pro-fines from other law enforcement agencies are not served unless the warrant or capias results from a citation issued under a multi-jurisdictional agreement (i.e. Baylor DPS, Texas DPS, TABC, etc.).

4. Execution of Felony, Class A and B Misdemeanor Warrants and Search Warrants

- a. Division orders relating to the execution of arrest/search warrants are followed by officers in addition to the procedures outlined below.
- b. Prior to execution of any arrest/search warrant, officers must:
 - (1). Ensure the warrant is valid and meets time requirements
 - (2). Obtain identification information (i.e., photo, records, etc.) on the suspect to be arrested and on the location of arrest

(3). Verify agency jurisdiction and the location of arrest/search

(4). Brief all officers participating in the initial entry, perimeter security, internal security and high risk involvement

c. Arrest/Search warrants outside the City

(1). A supervisor will notify the appropriate agency and advise that an arrest/search warrant is being served in their jurisdiction

(2). If the supervisor believes assistance is needed from the outside agency, the supervisor may request assistance from the outside agency. After contacting the appropriate agency, basic information will be provided to the agency.

(3). Patrol Officers may be dispatched to any location in McLennan County to pick up persons wanted on TCIC warrants issued on Waco Police Department cases. A Patrol Commander shall be notified before an officer is dispatched outside of the City.

(4). If an arrest is made outside our jurisdiction, the arrestee's vehicle and any other property becomes the responsibility of the arresting officer and is handled according to Department procedures.

d. Warrants outside the County/State

(1). Officers contact the D.A. and verify extradition out of state

(2). When location of the suspect is known, officers notify the agency having jurisdiction, request execution of the warrant and give warrant information

(3). A teletype follows the request giving warrant information

(4). Officers who need to travel to the location of a suspect must complete a Request for Authority to Travel in accordance with General Order 23.12

e. Warrants from other departments

(1). If validity is a question, officers verify the identity of the agency and the charges before attempting arrest

(2). Execute the warrant, notify the agency and have the arrestee taken before a magistrate

(3). If the warrant is from outside the state, extradition must be verified

5. Use of S.W.A.T.

a. General criteria for assistance

(1). Suspect(s) are believed to be armed

(2). Suspect(s) may resort to use of weapons when confronted with arrest or warrant service

- (3). Suspect(s) background reveals a propensity toward violence
- (4). Entry to the location may be hazardous or impeded because of warning systems, reinforced doors or other impediments
- (5). Seriousness of crime
- (6). Other explainable circumstance

b. Narcotics/Drug related search warrants

- (1). Due to the unpredictable and often violent nature of drug offenders, S.W.A.T. will make entry on all drug related search warrants.

c. Requesting assistance

- (1). Waco Police Department personnel requesting warrant service or arrest assistance should notify a S.W.A.T. supervisor at least 24 hours prior to the desired service time or as soon as practical
- (2). The officer obtaining the arrest/search warrant will complete a threat assessment

6. Cancellation of Warrants

- a. Arresting officer will ensure that a wanted/cancellation form is completed upon the arrest of a wanted subject
 - (1). The arresting officer may complete the wanted/cancellation form and forward it to the TLETS Room
 - (2). Officers in the field may give this information to a dispatcher who will complete the form
 - (3). Upon receiving the cancellation form, communications personnel will cancel the wanted status on the subject
- b. TLETS personnel will cancel Class C Offense and traffic warrants when directed to do so by the Municipal Court
- c. Investigators will review felony and misdemeanor warrants they have obtained on annual basis

7. Arrest without warrant

Officers follow Department procedures and procedures of the Texas Criminal Law and Texas Code of Criminal Procedure when making an arrest without a warrant.

End of General Order 63.04



Waco Police Department General Order



Title: **MUNICIPAL COURT
PROCESS**

Number: 63.06 Effective: 01/01/2016

Cancels: 63.06 Issued: 11/09/1992

Approved:

Brent Estroman
Chief of Police

63.06.01 PROCEDURES

A. Voiding Citations

1. Employees do not void a citation once it has been issued. The Municipal Judge is the only person authorized to void an issued citation.
2. If an officer feels a ticket should be dismissed, his supervisor makes a written request to the Municipal Judge giving the reason for the request.
 - a. The written request is attached to the ticket and submitted to the Municipal Judge.
 - b. The Judge determines whether or not the ticket is dismissed.
 - c. If the Judge does not dismiss the ticket, the officer who issued the citation testifies when requested to do so by proper authority of the court.
3. Under no circumstances will a Department employee write VOID or similar words across any part of an issued citation. Employees do not tell any concerned outside party that a citation will or has been voided.

B. Municipal Court Warrants and Capias Pro-Fines

1. A warrant is issued in all cases where the defendant has not appeared before the court on the specified charge.
2. A warrant normally requires either a cash bond or personal bond to be posted. The only time a cash bond is mandatory is when the warrant specifies **CASH BOND ONLY**. This usually occurs when the individual has already posted a personal bond once for the same charge but has failed to fulfill his obligation.
3. A capias pro-fine is issued in cases where the defendant has already appeared before the court on a specified charge, has been found guilty, fined and has failed to pay the fine (i.e. the defendant has been granted an extension to pay a fine, but failed to make payment prior to the extended date).

C. Arrest Requirements for Class C Warrants and Capias Pro-Fine

1. A person arrested for a capias pro-fine or a warrant for any Class C offense (including traffic)

who has the immediate ability to pay the fine or warrant is taken to the front counter of the Department.

- a. The County Jail does not accept these prisoners.
 - b. The person must have the necessary cash or a check from a local bank.
 - c. Officers are required to make a supplemental report only if an offense report was made. Officers are not required to complete an arrest report.
2. Records employees make necessary computer entries to show a cancellation of the warrant or capias.
 3. A person arrested for a capias pro-fine or a warrant as described above who does not have the immediate ability to pay the fine or warrant is processed through the County Jail.

D. Traffic Warrants from Outside Agencies

1. Traffic warrants or capias pro-fines mailed to us from other law enforcement agencies are not served unless the warrant or capias results from a citation issued under a multijurisdictional agreement (i.e. Baylor, D.P.S., etc.). In that case, the agreement specifies agency duties.
2. Traffic warrants or capias pro-fines from any other agency are returned by Records employees along with an explanation of our policy.

End of General Order 63.06



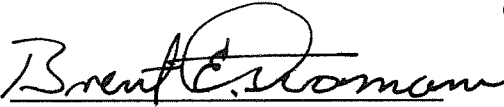
Waco Police Department General Order



Title: **CRIME STOPPERS**

Number: **64.01** Effective: **04/22/2013**

Cancels: **64.01** Issued: **11/09/1992**

Approved: 
Chief of Police

64.01.01 POLICY

Waco Crime Stoppers, Inc. is a 501(c)3 non-profit entity overseen by a civilian board of directors and chartered under Texas law and serves McLennan County law enforcement agencies and school districts. The purpose of Waco Crime Stoppers, Inc. is to solve crime by achieving citizen interest and involvement.

64.01.02 RESPONSIBILITIES

- A. The Board of Directors will establish and maintain Waco Crime Stoppers, Inc. Bylaws and Standing Rules and fulfill the responsibilities and duties so prescribed therein.
- B. The Criminal Investigation Division of the Department is responsible for the Crime Stoppers Program.
- C. The Department will:
 - 1. Designate a Police Officer(s) to serve as Coordinator(s) for Waco Crime Stoppers, Inc.
 - 2. Provide office space and administrative support.
 - 3. Provide for training and support to help the board maintain the program's certification.
- D. Duties of the Coordinator(s) include:
 - 1. Handling day to day operations.
 - 2. Receiving tip information and assign code numbers.
 - 3. Disseminating tip information to the appropriate investigating entity via e-mail/crime stoppers report form.
 - 4. Following up on tip status and ensuring tip information is not included in investigative/case jackets.
 - 5. Providing liaison between board, media and criminal justice system.
 - 6. Producing Crime Stopper features for the media.

7. Ensuring procedures are in place to protect the confidentiality of the information received and the anonymity of tipster.
8. Preparing for monthly board meetings to include:
 - a. Provide reward recommendations (per the Crime Stoppers' reward schedule) on tips leading to an arrest within the provisions of the program.
 - b. Update members on new laws, training requirements and grants.
9. Arranging for tipsters to receive their reward payments.
10. Conducting training for Crime Stopper participants.
11. Working with the Board to retain the program's certification with the Texas Crime Stoppers Advisory Council.
12. Complying with the guidelines outlined in the Texas Crime Stoppers Advisory Council's Operational Guidelines Manual.
13. Complying with the Waco Crime Stoppers, Inc. Standing Rules and Bylaws.
14. Arranging for 24-hour Crime Stopper coverage.

64.01.03 PROCESSING CRIME STOPPERS INFORMATION

- A. Upon receipt of a tip, the coordinator shall determine the appropriate investigative entity/detective and forward them the information.
- B. The entity/detective receiving the information shall be advised by the coordinator that the information received is not to be included in the case/investigative jackets.
- C. All information received shall be treated as confidential and released only to person(s) with a need to know.
- D. The recipient of the tip information shall comply with the suspense date noted on the tip sheet and submit a summary of the action resulting from the information to the coordinator such as:
 1. Led to an arrest
 2. Intelligence use only
- E. Confidential Informants (CI): CI's who are otherwise engaged with the police department may not be referred to Crime Stoppers for the purpose of passing such information leading to the arrest of a fugitive or suspect and subsequently receiving a reward.
- F. Funneling which is the process of an informant receiving information about a fugitive or suspect from a person and in turn referring that person to crime stoppers is prohibited.

End of General Order 64.01



Waco Police Department General Order



Title: HANDLING PROPERTY

Number: 65.01 Effective: 01/01/2016

Cancels: 65.01 Issued: 12/10/2005

Approved: _____
Chief of Police

65.01.01 POLICY

Any property coming into the possession of Department employees is to be placed in the Property Room according to the provisions of this order. Property Room employees strive to maintain property in the same condition as received and to preserve the evidentiary value and integrity of property for possible court presentation. Any property removed from the Property Room is removed according to applicable laws, rules and procedures. The **Property Room personnel** are responsible for control of all incoming and outgoing property activity.

65.01.02 DEFINITIONS

- A. Property - Items in possession of the Department which are connected to a case and stored in the Property Room as evidence, recovered, found property, confiscated, seized or safekeeping. Property is classified in two general classifications:
 - 1. Active Property - Property stored for whatever reason, without regard for time, where no disposition has been made.
 - 2. Property To Be Disposed Of - Property the Department is unable to return to its rightful owner and which will not be transferred to another jurisdiction, as indicated by a property disposition form (Form 10) from the officer assigned to the case or his supervisor.
- B. Evidentiary Property - Property of evidentiary value which may be used in court
- C. Found Property - Property with no evidentiary value found by police or a citizen and placed in the Property Room
- D. Safekeeping - Property placed in the Property Room for temporary safekeeping when the owner is known and the property is not of evidentiary value
- E. Property Disposition Report (Form 10) - Form completed by the assigned detective handling the property. The form contains final dispositions, description of the property and signatures of persons receiving and releasing the property.
- F. Property Procedures Manual - Manual outlining the responsibilities of the Property Room **personnel**, procedures for operating the Property Room, handling the disposition of property. The Supervisor of the Property Room maintains the Property Procedures Manual, and that Supervisor is required to keep the manual **up to date** and current.

- G. Unclaimed or Abandoned Property - All personal property, except alcoholic beverages, not held as evidence and not ordered destroyed or returned to the person entitled to its possession by a magistrate, and remains unclaimed for a period of 30 days. Unclaimed or abandoned property does not include contraband or property illegal to possess. This is different than what is on the PDF

65.01.03 PROCEDURES

A. Designated Secured Areas and Responsibility for those Areas

1. All property stored by the Department is in a designated secured area. The Property Room **personnel**, Records Program Administrator and the Assistant Chief assigned to **SSD** are the only persons who have access to the property storage area.
2. In case of an emergency or in the absence of **Property Room personnel**, the following are authorized persons in successive order:
 - a. Assistant Chief assigned to Support Services Division
 - b. Records Program Administrator
3. The Property Clerk maintains a log of all persons allowed to enter any evidence **storage** areas. The log includes the date, time person entered and purpose of entry.
4. All storage areas for impounded property are locked and/or staffed by persons designated by the Department (i.e. contract wrecker personnel).
5. Access control of the secured areas is the responsibility of the Records Program Administrator.
6. The security of the vehicle storage lot is under the control of the wrecker company, having a formal contract agreement with the City of Waco.
7. A holding room is provided for the temporary storage of property when the Property Room is closed. Utilize lock boxes, gun lockers, **outside cages** and the drop box for temporary storage.

B. Incoming Property

1. Incoming Property is placed in the Property Room by the investigating officer or civilian technician according to the following procedure:
 - a. Officer or Civilian Technician completes a property tag and attaches it to property and does one of the following:
 - (1). Place in the holding room in a lock box, slot, **outside cage** or mailbox
 - (2). Places in the Property Room, when the Property Clerk is on duty
 - (3). Submits to a lab for analysis
 - b. All property placed in the above locations will be logged on the appropriate log sheet.
 - c. Separate property tags are completed on the following:
 - (1). Weapons

- (2). Currency
 - (3). Jewelry
 - (4). Drugs (prescription or non-prescription)
 - (5). Taser Cartridges and/or AFIDS (follow procedures outlined below)
 - (6). Cell phones
- d. Property exempt from the separate itemized listing requirements detailed above are purses (without currency) and contents, toolboxes and contents, etc.
- e. Bloody or wet evidence or items believed to contain human DNA are placed in paper bags once the item is fully dried. Unloaded firearms are placed in cardboard boxes. Drug evidence, jewelry and money are the only items placed in plastic bags. All other evidence is placed in paper bags. These containers will be sealed, dated and initialed by the person tagging the item.
- f. Property tags are attached to all items of evidence.
- g. All drugs, except marijuana that is not completely dried out, or items that are tagged "For Destruction Only" are put in a plastic bag, heat-sealed and weighed before being placed in the Property Room.
- (1). Individual items such as pills, rocks, capsules, tablets, vials, cigarettes, etc. are counted by the investigating officer and listed as property in the offense/supplement report.
 - (2). Weight of the drugs is measured in grams prior to placement in plastic bag, when possible. The weight needs to be listed on the tag and on the Drug Log. That approximate weight should be listed in the offense report with a notation that the weight includes packaging on cases where the drugs cannot be weighed without packaging.
 - (3). Narcotics tagged for destruction only are to be tagged in the "glassine" paper bags, a "Narcotics For Destruction Only" label is to be placed on the bag and a "Destruction Only" property tag is to be used in place of the regular property tag.
 - (a). Individual items such as pills, rocks, capsules, vials, cigarettes, etc. are counted by the investigating officer and listed as property in the offense/supplement report.
 - (b). Weight of the drugs is measured prior to placement in plastic bag, when possible. That approximate weight should be listed in the offense report with a notation that the weight includes packaging on cases where the drugs cannot be weighed without packaging.
- h. Evidence in a "possession of drug paraphernalia" case is photographed and then destroyed. The photographs are handled as outlined in n. below.
- i. Small property items, excluding firearms, are tagged and placed in the lock box located in the holding room.

- j. When cell phones are being logged into the Property Room for Evidentiary Purposes, they should be placed within 3 silver bags, then placed either in the heat-sealed plastic, paper bag, or envelope. Cell phones with No Evidentiary Purpose may be tagged as normal property.
- k. Officers carefully scrutinize all items of evidence to determine their evidentiary value. Items with no apparent evidentiary value are not seized.
- l. Evidence connected to a misdemeanor theft arrest is photographed and released to the owner whenever possible.
- m. All evidentiary photographs are taken using a high quality digital camera and are downloaded into the photograph database as soon as possible after they are taken. Employees will also list the photographs they took in their reports. This provision does not apply to mug shots or photographs kept in an approved intelligence file.
- n. Photographs printed on paper will be turned into Records to be attached to the case.
- o. Copies of forged checks may be attached to the original case in Records. Original checks and other documents that are evidence must be placed in the Property Room.
- p. CD's or DVD's that contain digital evidence will be tagged in the Property Room as soon as possible.
- q. Property coming into the possession of Department employees is submitted to the Property Room or secured in the CSU Lab the same day unless it is released or transferred.
- r. Fingerprint cards are turned into the latent print card lock box.
 - (1). Employees turning in fingerprint cards will log the cards on the sign-in log at the time they are turned in.
 - (2). Sign once for each case number.
 - (3). Sign-in log should show the number of cards turned in.
 - (4). The employee will also indicate in their report that fingerprint cards were turned in as well as the number of cards turned in.
- s. Property received by Department employees is not used, copied, distributed, etc. for personal use.
- t. Employees are prohibited from keeping property in their desks, lockers, closet or other places unless it is transferred or released the same day. Keeping property at an employee's home is prohibited.

2. Procedure for Tagging Firearms

- a. Put the weapon in a cardboard box and seal the box.
- b. Write your initials, the case number, the date and any other necessary information on the

box.

- c. Fill out a property tag and attach it to the box.
- d. Log the gun on the "FIREARMS LOG" that is located on the front of Long Gun Locker #6 that is located in the Property Room holding area. DO NOT LOG FIREARMS ON THE REGULAR PROPERTY LOG.
- e. If you need a firearm processed for fingerprints, fill out a Waco PD Lab Submission Form and put it in the appropriate tray in the Property Room holding area.
- f. Once you have logged the gun, do the following:
 - (1). For a handgun, lock it in one of the cabinets. Then drop the key in the slot at the top of Locker #6. Do not put the key in the mailbox.
 - (2). For long guns, lock them in one of the long gun cabinets and indicate on the log what cabinet the gun is in.

3. Unsafe Firearms

- a. Unsafe firearms (loaded) are placed in a gun box, tagged with a red "LOADED FIREARM" tag and locked in a cabinet.
- b. An e-mail is sent to the Forensic Investigations Sergeant advising of the loaded firearm.
- c. Property Room personnel do not handle the weapon until it is made safe by the Forensic Investigations Sergeant.

4. Property Room personnel note receipt of the property and:

- a. Verify property is sealed, properly tagged and itemized if necessary. Property Room employees will not accept items improperly tagged, sealed or itemized. A supervisor in the investigating officer's division will be contacted to correct the problem.
- b. Initial the property log indicating that the property is accounted for and that the case numbers correspond.
- c. Distribution of property tag copies:
 - (1). Original is filed in Property Room
 - (2). First copy is attached to the original case in Records
 - (3). Last copy remains attached to property
- d. Property Room employees follow procedures outlined in the Property Room Procedures Manual to safeguard and store property and to maintain appropriate records.

C. Property Placed in a Storage Facility other than the Police Building

- 1. Police storage facilities excluding the Police Building include:

- a. Police Impound Lot
 - b. Crime Scene Lab
 - c. Computer Forensics Lab
2. Flammable liquids and their containers, gasoline operated engines and similar type fuels are placed in the outside cages.
 3. Large items (bumpers, wheels, large televisions, speakers, etc.) are placed in the outside cages.
 - a. Large items such as Scooters, Mini-bikes, Go-carts and other larger items that don't fit in the cages will be stored at the Police Impound Lot located at 1601 E. Taylor.
 4. A property tag is completed and attached to the property by the investigating employee.
 - a. The investigating employee lists the property on the property log located at the Property Room.
 - b. The hard copy is attached to the property. Two white tags are left in the Property Room.
 - c. The Property Room clerk verifies that property is properly tagged/itemized and places a metallic embossed tag on the property for future identification
 - d. Improperly tagged property is not accepted and is referred to the supervisor in the investigating employee's division.

D. Impounded Currency

1. All currency placed in the Property Room is handled according to the following procedure:
 - a. Currency is maintained in its original state, tagged, bagged and sealed separately from other items.
 - b. Currency is counted by the employee tagging the property and one other Departmental employee. A US Currency List form is completed and placed in the property bag with the currency.
 - c. The currency is bagged and sealed in the presence of both persons counting the money. (It is not recounted by Property Room employees).
 - d. The person tagging the money fills out the property tag including the owner of the money.
 - e. The person tagging the money will initial and record date and time on the evidence tag.
 - f. The bag is then placed in the mailbox in the holding area or in the Property Room when the property clerk is on duty.
2. Currency that may be of a higher value than face value is listed separately with a complete description of serial numbers or other identifying numbers to prevent exchange for face value.

3. Currency and other items of value are locked in the Property Room safe.
4. Handbags, wallets, suitcases, etc. placed in the Property Room and are checked for valuable items or money that needs special safeguards and, if found, are tagged separately.

E. Special Types of Evidence/Property

1. Blood samples, body fluids, used condoms, dried stains and syringes

- a. Sexual assault kits are tagged, marked and placed in the Property Room. Kits do not need to be refrigerated UNLESS the employee tagging the kit is informed that the kit contains biological fluids or it is noted on the kit that such fluids are enclosed, or, if it is noted on the box "Urine needs Refrigeration." Then place in the refrigerator.
- b. DWI blood samples are tagged, marked and placed in the holding room refrigerator and logged in the DWI log sheet.
- c. Swabbed body fluids and blood samples are placed in an envelope or paper bag and then placed in a locker in the holding area (must not come in contact with one another).
- d. Used condoms, *which contain semen*, are swabbed before they are sealed in plastic and frozen in the freezer located in the Property Room holding area. The interior and the exterior of the condom is swabbed using separate sterile swabs prior to it being frozen. These swabs are bagged and tagged separately and are not allowed to come in contact with one another. The swab is then handled as outlined above.
- e. Syringes are not collected unless the case justifies the high risk to personnel handling them. If it is necessary to collect a syringe as evidence, it is placed in a plastic syringe tube when placed in the Property Room.
 - (1). Syringes are not submitted to DPS for examination unless the case justifies the high risk to personnel handling it.
 - (2). Employees DO NOT collect syringes for disposal.
- f. The outer containers of all items in this section are marked with biohazard stickers when placed in the Property Room.

F. Evidence Drying Cabinet (Only items soaked in blood are put in the drying cabinet)

1. Miscellaneous

- a. Employees needing to place evidence in the drying cabinet obtain keys from the Property Room holding area.
- b. Employees always use protective gloves when handling blood evidence.
- c. The employee completes a Property Tag and attaches it to the outside of the cabinet that contains the item with tape.

- d. Evidence is logged in on the drying cabinet log inside the drying cabinet closet.

2. Operation of Drying Cabinet

- a. Access is gained to the cabinet by first unlocking the closet door.
- b. Cabinet doors are opened by first turning the top and bottom handles, then the center one.
- c. Hangers are provided for evidence that cannot be placed on a shelf. All clothing is to be hung separately without contact to each other. Employees ensure items are hung in such a manner as to allow air to freely move around each item.
- d. Clothing from different individuals is placed in separate halves of the cabinet. In the event there is clothing from more than two persons, each item is covered with paper prior to being placed in the cabinet. Clothing items must not touch each other.
- e. Items such as shoes are placed on the shelves inside the drying cabinet.
- f. Once items are placed in the cabinet, the doors are secured.
- g. The cabinet is turned on. Employees ensure the Minihelic gauge in the center of the cabinet shows airflow is present. Airflow is measured on the round gauge at the top of the cabinet. The gauge should register between .5 and 1 inch.

3. Crime Scene Technicians (CST) are responsible for transferring evidence from the Drying Cabinet to the Property Room. CST's are also responsible for cleaning and maintaining the Drying Cabinet. The CST's will follow Crime Scene Unit policy to accomplish all of these tasks.

G. DNA Evidence Collection and Preservation

1. Collections:

- a. If possible, collect the item suspected to contain DNA evidence rather than attempting to remove the stain.
- b. When swabbing a suspected physiological fluid stain, a new, individually wrapped, sterile cotton swab should be used for each stain.
- c. All items suspected of containing DNA evidence will be packaged in paper bags.
 - (1). Assure that the items are dried prior to packaging. (Exception to this is temporary, short-term packaging for transport purposes only or items that contain decomposed material that cannot be totally dried).
 - (2). Package each item separately so that it cannot contaminate another item.
 - (3). Close each bag by folding the top of the bag over and sealing it with evidence tape. The person sealing the bag will write their initials across evidence tape and onto the bag.
 - (4). Place a biohazard sticker on both side of the bag.

- d. Utensils that are not disposable and that are used to collect or handle evidence should be cleaned with a solution of 1:10 dilution of bleach, then soap and water after each use.

2. Preservation:

- a. When drying moist samples with suspected physiological fluids, dry them in a manner that prevents cross contamination.
- b. Do not allow items to come in contact with one another.
- c. When folding items that have suspected physiological fluids on them, there should be paper placed between folds to prevent the fluids from transferring to other areas of the item.
- d. Do not dry or lay out items from separate cases in the same location.
- e. Do not dry or lay out items from more than one individual (e.g. the suspect and the victim) on the same location.
- f. Be aware of possible traces of flaking blood or body fluids that may contaminate other items.
- g. When using the Evidence Drying Cabinet to dry blood-soaked items, follow the procedures outlined in this order.

3. Prior to drying or handling a sample, make sure that the area in which the drying or handling is taking place is clean.

H. Storage of DNA Evidence

1. All items of property suspected of containing human DNA must be stored in the following manner:
 - a. Must be placed in paper or cardboard only.
 - b. Must not be exposed to heat, sunlight, moisture, bacteria or mold.
2. Persons opening sealed DNA evidence packaging must abide by the same procedures as the person who collected the evidence. A supplement report will be made explaining why the evidence was opened and/or handled. Anyone who handles or accesses the evidence will place his or her initials, the time and date on the evidence container.
3. All items containing DNA evidence must be stored in a location that meets the following conditions:
 - a. Air conditioned
 - b. Low humidity
 - c. Free of rodents and other pests that can damage or destroy the evidence.
4. Effective April 5, 2001, Texas Law requires that all evidence containing biological material that, if subjected to testing, would likely 1) establish the identity of the person who committed

the offense or 2) exclude a person who could have committed the offense be preserved until one of the following occurs:

a. On capital felonies:

- (1). The inmate is executed or dies
- (2). The inmate is released on parole

b. On other crimes:

- (1). The defendant dies
- (2). The defendant completes his/her sentence
- (3). The defendant is released on parole or mandatory supervision

c. The Department may petition for the destruction of this type of evidence if none of the following people object after ninety-one days after receiving the Department's request of destruction:

- (1). The defendant
- (2). The last attorney of record
- (3). The convicting court

I. Property Transfer/Release/Disposition

1. All property transactions are recorded by completing property tags, itemized listing forms and property release forms.
2. Personnel making property transactions will make **an** offense/supplement report documenting the transaction.
3. Found or lost property taken in by a **Department employee** during non-business hours prior to being placed in the property holding room can be released if:
 - a. The owner can identify the property by detailed description and the **employee** is satisfied that the person is the owner.
 - b. The person provides proper identification.
 - c. A report documenting the return of property will be made and a property release form (Form 10) completed.
4. Officers who need to release property during non-business hours must make prior arrangements with the Property Room Supervisor.
5. Personnel transferring, releasing, or making final disposition of property must ensure that legal requirements are met before property is removed from the Property Room.

- a. Personnel transferring property to another government agency or releasing it to the owner/agent must:
 - (1). Complete a property release form (Form 10)
 - (2). Complete property tag
 - (3). Make a supplement report indicating when the property was transferred or to whom it was released
 - (4). Accompany owner to Property Room
 - (5). Personnel may deliver property for release to an owner/agent provided the proper paperwork is completed and returned to the Property Room within 72 hours.
- b. Before officers make final disposition to dispose of the property, the following procedures are followed:
 - (1). Follow-up investigators send certified letters to the last known owner within 30 days of the property being impounded.
 - (2). A copy of the certified letter is placed in the case file when final disposition is made.
 - (3). Follow-up investigators must note in a supplement report if the owner is unknown and cannot be contacted.
- c. Submitting property for disposal
 - (1). The follow-up investigator completes a property release form.
 - (2). The property release slip is completed for disposal is approved and sent to the Property Room.
 - (3). Disposal of property transferred to the D.A. or City Attorney must be approved by them. The officer makes a supplement report listing the D.A. or City Attorney authorizing the disposal.
- d. Property checked out for 72 hours
 - (1). Property may be checked out of the Property Room for 72 hours (exception: computer crime evidence and CSU lab analysis). Personnel checking out property are responsible for securing the property to ensure chain of custody.
 - (2). The property clerk maintains a separate file for property temporarily checked out and notifies the Assistant Chief of Records of personnel who have checked out property and not returned it within 72 hours. The Assistant Chief will initiate action to get the property returned or justify further delay.
- e. Property checked out for Computer Forensic Analysis
 - (1). Property logged as computer forensic evidence (such as CPU's, USB drives, CD's) may

be checked out of the Property Room and temporarily stored at the computer forensics lab until the analysis can be completed. The 72-hour rule does not apply to Computer Forensic evidence.

f. Drug, narcotics or drug paraphernalia are not checked out except:

(1). For lab test or use in court

(2). By written authorization of the Chief of Police or Assistant Chief of Police. Conditions for the return of the property are outlined in the written authorization.

g. Any property checked out of the property Room for any reason except final disposal or destruction will sign the "Chain of Custody" on the property tag and the person checking out the property will ensure that each person taking custody of the property will make an entry tracking that custody.

6. Completion and distribution of property release forms

a. Employee completes original and two copies of property release form.

(1). Person's name to which property is being released is printed.

(2). A complete description of property is listed.

b. Owner/Agent of released property or recipient of transferred property signs property release form. If property is released, the officer signs the original property tag.

c. Copies of the property release form are distributed in the following manner by the property clerk:

(1). Original to Records

(2). Second copy remains in Property Room

(3). Third copy to releasing officer

J. Reviewing Property for Disposition

1. The Property Room clerk periodically reviews the property file and lists all active property

2. A listing of this property is forwarded to each investigation unit supervisor for review.

a. Supervisors of each investigative unit are responsible to see that officers in their unit process or dispose of property for cases they are assigned.

b. Supervisors are responsible to review cases where employees have placed a hold to ensure the need exists to hold said property.

3. The property clerk maintains an active property file until the investigative officer completes a property release form (Form 10) authorizing disposal of the property.

- a. A list of property due for disposal is submitted to the investigative unit commander who determines if disposal is authorized.
 - b. If disposal is authorized, the follow-up investigator completes a property release form.
4. The property clerk delivers all unclaimed or abandoned property with evidentiary value for which a property release form (Form 10) has been made to the City purchasing agent to be sold.
 - a. Property becomes abandoned or unclaimed 30 days from the date a property release form is completed.
 - b. Once transferred, the City Purchasing Agent holds unclaimed or abandoned property for six months. All inquiries regarding this property is forwarded to the City purchasing agent.

K. Inspections

1. The Property Room Supervisor conducts **spot inspections** to ensure that Property Room employees:
 - a. Adhere to the property control procedures
 - b. Maintain the Property Room in a clean and orderly fashion
 - c. Protect property from damage and deterioration
 - d. Follow proper accountability procedures
 - e. Promptly dispose of property having no further evidentiary value once a detective completes a Form 10 for disposal
 - f. Follow Department orders and directives that concern the Property Room.
2. Whenever a new property clerk is designated, a spot inventory is made to ensure that records are correct.
 - a. The outgoing property clerk and the Property Room Supervisor jointly conduct the inventory.
 - b. All discrepancies are noted and settled, if possible, before the out-going clerk's resignation becomes effective.
 - c. A sufficient number of property records are reviewed with respect to documentation and responsibility.
3. When a division change in supervisor of the Property Room is made, procedures outlined above are followed.
4. If during any inventory there shows to be tampering with property or property is missing, the Property Room Supervisor immediately makes a written report to the Assistant Chief over the Support Services Division. A copy is forwarded to the Chief of Police.

End of General Order 65.01



Waco Police Department General Order

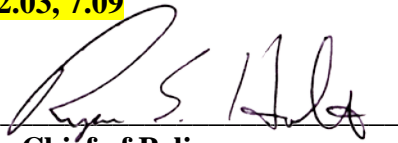


Title: **REPORTING**
TCPA 7.08, 12.03, 7.09

Number: **66.01** Effective: **06/22/2018**

Cancels: **66.01** Issued: **07/01/2016**

Approved: _____


Chief of Police

66.01.01 POLICY

An offense/supplement report is completed on all offenses and incidents that require documentation. The information in reports should be complete, detailed, concise and completed in a timely manner. Offense/supplement reports will not be used to document by statement or implication, an officer's disagreement or displeasure with Department operations, another Criminal Justice agency or city, or decisions related to an investigation. Other forms of communication in the Department are used for that purpose.

66.01.02 PROCEDURES

A. Offense Title/Case Number

1. The primary officer assigned to investigate an offense is responsible to ensure that the appropriate report is made using the correct offense title(s).
2. Follow-up officers make appropriate reports and may change the title when necessary.
3. A case number is assigned each time an officer is initially assigned to investigate an incident requiring a report to be made.

B. Disposition of Calls When No Report Is Necessary

1. A short statement is made to the dispatcher giving the appropriate disposition and any call notes if needed or call notes can be added to the call by the Officer on their MDC before giving a disposition to dispatch.
2. Officers closing out calls without making an offense report are responsible for producing pertinent information from the call if needed.
3. Unless property is tagged or a vehicle is towed, calls for service **which may be closed out** include:
 - a. False burglar and holdup alarms.
 - b. Deliver message
 - c. Abandoned vehicles on private property

- d. Non-reportable motor vehicle crash
- e. Industrial accidents – with no injuries
- f. Public intoxication
- g. Suspicious noise, person, vehicle or prowler
- h. Disturbances which **meet all** of the following:
 - 1). No arrest
 - 2). No injury
 - 3). No threats
 - 4). No follow-up necessary
 - 5). No complaint filed
- i. Previously assigned cases
- j. Incorrect address, unfounded or outside City limits
- k. Any case of minor nature that is settled and follow-up is not necessary or the incident is not likely to reoccur.

C. Calls **Requiring an Offense** Report

1. Any report required by Texas CCP 2.29, CCP 2.295 and CCP 2.30:
 - a. assault under Section 22.01, Penal Code;
 - b. aggravated assault under Section 22.02, Penal Code;
 - c. sexual assault under Section 22.011, Penal Code;
 - d. aggravated sexual assault under Section 22.021, Penal Code;
 - e. terroristic threat under Section 22.07, Penal Code;
 - f. unauthorized acquisition or transfer of certain financial information under Section 3.17, Penal Code; and
 - g. fraudulent use or possession of identifying information under Section 32.51, Penal Code.
 - h. all offenses involving Family Violence.
2. All offenses under the jurisdiction of the County or District Courts

3. Class "C" misdemeanor cases, except when a Class "C" citation is issued or offenses other than those listed in C. 1.
4. Any other offense or incident that may require follow-up (i.e. lost property, missing person, etc.)
5. Reports that are routed to other agencies (i.e. Texas Alcoholic Beverage Commission)
6. Questionable deaths, plane crashes and other similar incidents
7. Any other offense or incident that is unusual or significant and the officer feels an offense report should be made and distributed for information purposes.
8. Any call resulting in information too lengthy for closing out by a dispatcher.

D. Reports Which May Be Taken By Telephone

1. The following reports may be taken over the phone if the offense **has not** just occurred, immediate follow-up is not necessary or failure to dispatch a unit will not result in harm to anyone:
 - a. Missing persons 18 years of age or older (**not senile or mentally impaired or from a rest home**).
 - b. Auto thefts
 - c. Thefts of auto accessories
 - d. Bicycle thefts
 - e. Various reports for insurance purposes
 - f. Gas drive-offs
 - g. Thefts over forty-eight (48) hours after discovery
 - h. Telephone harassment (unless an immediate threat exists)
 - i. Littering
 - j. Loud music, dog barking
 - k. Late 10-15 when there is no injury or immediate danger
 - l. Criminal Mischief involving:
 - 1). Minor damage
 - 2). No evidence to be gathered

- 3). An officer is dispatched if there is a series of similar incidents in the same area
2. Calls not requiring a unit to be dispatched are routed to the Teleserve Office, Department Website report portal or Public Service Technician (PST) after hours.

E. Walk-In Complaints

1. Walk-in complaints are directed to Teleserve unless Teleserve is unavailable, then the complainant is directed to the section/unit responsible for the follow-up on that type of case when that section/unit is open and operating.
2. At all other times, walk-in complaints are taken by the PST. A unit is dispatched when immediate follow-up is necessary or for certain offenses such as Sexual Assault, Child Custody, etc.

3. Citizen and Vendor Reporting

- a. Citizens reporting new offenses or providing additional information on existing cases may be referred to the Teleserve Office during Teleserve's normal hours of operation.
- b. The **Citizens Offense Report** may be completed by citizens who want to document property crimes that occurred in the Waco City limits.
- c. The **Vendors Offense Report** may be completed by merchants who want to document Class "C" misdemeanor thefts that occurred at their stores in which the suspect(s) have already left the scene. However, if the suspect(s) return to the scene, merchants should call 911 and an officer dispatched to the scene makes any required reports. In those situations, the merchant is told not to complete a Vendors Offense Report.
- d. Citizens may also report certain non-emergency crimes **online** by using the Department's online reporting system.

F. Report Process

1. The primary officer or officer initiating an action is responsible for completing all required reports (i.e. offense and crash reports, news media summary, vehicle storage, etc.)
 - a. All relevant investigative facts of a criminal investigation will be properly documented in an offense report by the primary investigator/officer. This includes known information supplied to any officer or law enforcement agency, whether the enforcement action results in the seizure of evidence or an arrest. Information regarding the identity of confidential informants will be handled according to existing policy.
2. Officers assisting the primary officer will make a supplement report as appropriate or ensure that their actions are accurately captured in the primary report.

a. Assisting officers will document their law enforcement actions taken, including probable cause and reasonable suspicion, without specific reference to the source of information. The fact that certain information is omitted from the assisting officer's report in no way implies that any officer should testify or swear to anything other than the complete truth related to the facts of the investigation.

3. Off duty officers are not required to make any report but may give a written statement of facts as appropriate.

4. All hand printed reports (i.e., vehicle crash and arrest reports) are filled out with a black medium point pen. Employees are responsible to write so that their handwriting is readable.

5. Department employees use military time on all official reports and documents (i.e., offense reports, tickets, etc.)

6. All reports are completed by the end of a tour of duty unless a delay is authorized by a supervisor.

7. Supervisors are to check reports made by their subordinates in a timely manner to determine:

a. Accuracy and completeness of reports

b. Accuracy and completeness of investigations

c. Overall performance of subordinates

8. Limiting Narrative Access in Offense Report

a. In some instances there may be a need to limit access to the narrative of certain offense reports. The narrative of an offense report will be limited in the following cases:

1). Officer involved shooting

2). An Officer or employee of the Waco Police Department is a victim or suspect in a case.

3). Cases relating to an active Internal Affairs Investigation.

b. If an investigator finds it necessary to limit access to a narrative in order to maintain the integrity of an investigation for a reason not listed above, the investigator will obtain supervisory approval. Upon approval, written notification will be sent up the Chain of Command and to the Records Supervisor so that access to the narrative can be limited. Once a case has been closed and a disposition has been received from the District Attorney, the limited access previously placed on the narrative may be removed.

9. Typing/Routing of Reports

a. The section/unit responsible for maintaining Department records will type reports from the recordings made by the employees who dictated the report.

b. Routing as follows:

- 1). 1 copy to the employee making the report
- 2). 1 copy to the Section responsible for follow-up

10. Procedure for Error Correction

a. Employees will review the reports they make for needed changes. The reports will then be reviewed by the employee's Supervisors.

b. Corrections that change the character of the report will be made by using the following procedure:

1). Return the employee's copy of the report with changes to the Back Desk.

2). Examples of corrections that change the character of the report include:

a). Misspelled names entered in the involved persons or suspect/arrest section of the report;

b). Incorrect license numbers entered in the vehicle section;

c). Incorrect offense or classification entered in the report heading;

d). Property listed incorrectly including the brand of article name, value stolen or recovered, etc.;

e). Incorrect suspect description or MO factors listed.

c. If the corrections involved adding additional information that was left out of the original report, a supplement report will need to be made by the employee.

d. If an employee feels the corrections will have an impact on the follow-up investigation, a priority report will be made.

f. The report will need to be re-dictated if the employee feels that the report cannot be corrected and still be presentable.

G. Offense/Supplement Reporting Forms

1. An offense report is completed on all offenses and incidents when follow-up investigation is necessary. The information contained in all reports should be complete, detailed and concise.

2. A supplement report is used for follow-up reports

3. Employees refer to the most current instructions for completing an offense/supplement report.

H. Priority Report

1. A Priority Report is any report that by the nature of its content needs to be typed and processed immediately. All other reports are non-priority. A priority report is made on the following case:
 - a. Anytime a person is arrested and a report is necessary
 - b. Any occurrence likely to raise inquiries and/or needing prompt follow-up such as robberies, shootings, murder, questionable death, sexual assault, arson or an other event of special news significance.
 - c. Any missing child, senile or mentally impaired adult or missing person from a rest home or nursing home.
 - d. Anytime property is tagged or a vehicle is impounded.
2. Procedure for Officers
 - a. When an officer makes an arrest and a priority report is required, the report is dictated before the officer leaves the police building or the county jail.
 - b. Priority or non-priority reports are made by dialing the designated telephone extensions.
 - c. Use the proper code designation on the telephone indicating a priority report.
 - d. Records supervisors ensure that all priority reports made on their tour of duty are typed and distributed in a timely manner.

I. Reports Review

1. The Reports Review Form will be used to communicate information between divisions concerning problems with reports/forms and positive comments about reports.
2. Personnel who receive either a Report Review Form (Indicator) or any communication regarding their offense reports or work product shall promptly and professionally respond to such communication.

End of General Order 66.01



Waco Police Department General Order



Title: UNIFORM CRIME REPORT

Number: 66.02 Effective: 01/01/2016

Cancels: 66.02 Issued: 11/09/1992

Approved:


Chief of Police

66.02.01 PROCEDURES

A. Classification

1. Employees making an offense or arrest report are required to correctly classify an offense according to Uniform Crime Reporting procedures.
2. Uniform Crime Reporting classifications may be different from the Texas Penal Code (i.e. Burglary of Motor Vehicle is classified as a theft).
3. The Uniform Crime Reporting Bureau classifies crimes as Part I or Part II offenses.
 - a. Part I offenses are counted as they occur because of their seriousness and frequency of occurrence.
 - b. Part II crimes involve all offenses except traffic violations and those crimes listed in Part I category.

B. Part I Crimes and Their Definitions (Note the Criteria Needed to Include the Offense in a Specific Category)

1. **Murder** - the willful non-negligent killing of one human being by another
 - a. Suicides, accidental death, and attempted murder **are not** classified as murder
 - b. When an attempted murder or aggravated assault occurs and the victim dies at a later date, the classification is changed to murder.
 - c. Certain willful killings are classified as justifiable or excusable as murders. They include:
 - (1). The killing of a felon by a peace officer in the line of duty
 - (2). The killing (during the commission of a felony) of a felon by a private citizen
 - (3). If a felon is killed in the commission of a crime, only the offense committed by the felon is classified
 - (4). Count one offense for each victim murdered

2. **Criminal Negligent Homicide** - (manslaughter by negligence) - the killing of another person through gross negligence. Do not include traffic fatalities.
3. **Forcible Rape** - penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - a. Count one offense for each rape
 - b. Attempted rapes are classified as attempted rapes
 - c. **Do not count** reported rapes when a victim is under age and has given consent
4. **Robbery** - the taking or the attempt to take something of value from the care, custody, or control of a person by force, threat of force or violence and/or by putting the victim in fear
 - a. Count one offense for each distinct operation
 - b. Robbery is always committed in the victim's presence
 - c. Purse snatching is counted as robbery if force or threat of force is used to overcome the active resistance of the victim
 - d. Use the UCR on the classification sheet to indicate:
 - (1). Type of weapons
 - (2). Type of location where the offense occurred
5. **Aggravated Assault** - an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury
 - a. Include all assaults with a firearm, knife, or dangerous weapon
 - (1). An offense where the use of a weapon is threatened and the parties involved are acquainted or related, are classified as **other, not aggravated**
 - (2). Any assault that results in the victim needing medical attention is classified as aggravated
6. **Burglary** - the unlawful entry of a structure to commit a felony
 - a. Structures include a house, railroad car, barn, garage, storage shed, etc.
 - b. The illegal entry of a tent, trailer, motor home, etc., used for recreational purposes, followed by a theft or felony, is not counted as a burglary.
 - c. Burglaries of hotels, motels, lodging houses where lodging of transients is the main business, or commercial space under a single manager, are counted as one offense when the offenses are reported by the manager instead of individual tenants.
 - d. Use the UCR table on the classification sheet to indicate:

- (1). Type of structure (residence or non-residence)
 - (a). Residence includes a garage, storage building located beside or behind a residence, vacant houses and apartments
 - (b). Non-residence includes all structures except those classified as residences
 - (2). Type of Entry or Attempted Entry
 - (a). Forcible
 - (b). Unlawful entry includes entry through unlocked doors, open doors, including open garage doors
 - (c). Attempted entry with force
 - (3). If the offense occurred during the day (0600-1800), night (1800-0600), or unknown
 - e. Do not include vehicle burglaries in this section.
7. **Theft** - the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
- a. Any theft other than robbery, burglary, or motor vehicle theft, is classified as theft.
 - b. Do not include fraud, theft by bailee, credit card abuse, check fraud, counterfeiting, pigeon drops, theft of service (cab fares, auto repairs, failure to pay motel, etc.) or forgery.
 - c. Thefts are categorized in different ways:
 - (1). Pocket Picking - includes theft where the victim is not immediately aware of theft (lady's purse or man's pocket)
 - (2). Purse Snatching - grabbing or snatching a purse from an individual. If the injury occurs or more force is used than necessary, it is classified as a robbery.
 - (3). Shoplifting - is theft of merchandise exposed for sale
 - (4). Theft from Motor Vehicle - includes theft of items from inside a vehicle that are not attached to the vehicle
 - (5). Theft of Motor Vehicle Parts and Accessories - includes the theft of any item attached to the interior or exterior of the vehicle. These items include: stereos, CB radios, hubcaps, antennas, etc.
 - (6). Theft of Bicycles - offenses involving bicycles stolen from within a garage or apartment are classified as burglary of residence
 - (7) Theft from Buildings - theft from within a building which is open to the public or where offenders have legal access

- (8). Theft from Coin Machine - includes coin machines in laundromats, pay telephones, candy and cigarette machines. If the coin machines are located within a building that is burglarized, it is classified as a burglary.
- (9). Cargo Theft - the criminal taking of any cargo including, but not limited to, goods, chattels, money or baggage that constitutes, in whole or in part, a commercial shipment of freight moving in commerce, from any pipeline system, railroad car, motor truck, or other vehicle, or from any tank or storage facility, station house, platform, or facility, or from any intermodal container, intermodal chassis, trailer, container freight station, warehouse, freight distribution facility, or freight consolidation facility. For purposes of this definition, cargo shall be deemed as moving in commerce at all points between the point of origin and the final destination, regardless of any temporary stop while awaiting transshipment or otherwise
- (10). All other - theft not specifically classified

8. Motor Vehicle Theft - theft or attempted theft of a motor vehicle

a. Motor vehicles include:

- (1). Autos
- (2). Trucks or buses
- (3). Motorcycles
- (4). Other vehicles including, but not limited to, golf carts and scooters

b. Do not include farm equipment, bulldozers, airplanes, boats, or construction equipment. Count these as all other thefts.

c. If a person has permission to operate a vehicle and the vehicle is not returned, the matter is classified as fraud.

9. Arson - all fires intentionally set (vehicles, buildings, crops, timber, etc.)

C. Classifications Required on Offense and Arrest Reports

1. Classify only the most serious offense for each crime report made.
2. Part I offenses are more serious than Part II offenses.
3. Part I crimes are listed below. The most serious offenses are listed first. They are used each time an offense occurs and each time an arrest is made.
 - a. Murder
 - b. Rape
 - c. Robbery

- d. Aggravated Assault
- e. Burglary
- f. Theft
- g. Auto Theft
- h. Arson

When a suspect is charged with burglary and rape, classify the rape.

4. The Part II crimes are listed below with the most serious offense listed first. They are used each time an offense occurs and each time an arrest is made.
- a. Other Assaults (not aggravated)
 - b. Forgery and Counterfeiting
 - c. Fraud (includes credit card abuse)
 - d. Embezzlement
 - e. Buying, Receiving, and Possession of Stolen Property
 - f. Vandalism
 - g. Unlawful Weapons Possession
 - h. Prostitution
 - i. Other Sex Offenses (includes Sexual Abuse)
 - j. Drug Violations
 - k. Gambling
 - l. Offenses Against Family
 - m. DW.I.
 - n. Liquor Laws
 - o. Public Intoxication
 - p. DOC
 - q. Vagrancy
 - r. All Others except Traffic

s. Curfew Violation

t. Runaway

When a suspect is charged with Unlawfully Carrying a Weapon and D.W.I., classify the Unlawfully Carrying a Weapon.

End of General Order 66.02



Waco Police Department General Order



Title: CASE MANAGEMENT

Number: 66.03 Effective: 06/13/2016

Cancels: 66.03 Issued: 06/13/2016

Approved: 
Chief of Police

66.03.01 CASE MANAGEMENT

- A. Detectives will make a follow-up report on each active case assigned to them to describe the work done on the case within thirty (30) days of case assignment. (initial contact, lack of contact, etc.)
- B. A Sergeant may extend the reporting time for another ten (10) days.
- C. Some type of closure should be made on a case within sixty (60) days of assignment.
- D. Disciplinary action may occur for cases sixty (60) days or older when no follow-up report has been made.
- E. A Sergeant can extend the deadlines if necessary.
- F. A Supplement Report will be made prior to getting off duty when one of the following circumstances exists:
 - 1. When a warrant has been issued on a suspect.
 - 2. When an arrest is made.
 - 3. When a vehicle was placed in the impound lot.
 - 4. When property has been recovered or is released.
 - 5. When the case is of major interest to the public and the administration of the Department needs to be kept abreast of the daily events.
 - 6. When an investigator is scheduled for vacation or extended leave.
- G. When a follow-up report covers several days of work, each day will be identified with a corresponding narrative.
- H. All persons, addresses, property, etc., will be properly identified.
- I. Cases which are cleared by arrest will be transferred to the District Attorney's Office or Federal Prosecutor within fifteen (15) working days.

66.03.02 CASE CLOSURES

A. The investigator will make a disposition on each case by indication:

1. Cleared by Arrest / Cleared by Juvenile Arrest – an offense is Cleared by Arrest when at least one person is arrested, charged with the commission of the offense, and turned over to the court for prosecution. Cleared by Juvenile Arrest can be used when a person younger than 18 is cited to appear in juvenile court even if no physical arrest was made.
2. Exceptionally Cleared – in certain situations police are unable to arrest an individual. If the following apply, then a case can be Exceptionally Cleared:
 - a. Has the investigation definitely established the identity of the offender?
 - b. Is there probable cause to support an arrest?
 - c. Is there some reason, outside of police control, that prevents the offender from being arrested, charged, and prosecuted? (i.e. victim does not want to press charges.)
3. Unfounded – if the detective's investigation shows no offense occurred, then the report can be closed out unfounded.
4. Closed – this is used on non-criminal cases. (i.e. found property, abandoned vehicle, etc.)
5. Suspended – indicates all available leads have been exhausted, sufficient evidence is not available to identify the suspect, a warrant has been issued and the suspect has not been arrested, or the investigator is waiting on lab results/fingerprint comparisons etc.

66.03.03 CODE OF CRIMINAL PROCEDURE 38.14

A. The purpose of this is to provide guidelines for Criminal Investigations Division personnel, specifically related to Senate Bill 1611, which resulted in changes to Article 38.14 (Discovery) of the Code of Criminal Procedure, (C.C.P.) (effective January 1, 2014). All designated photos and videos, which will include the investigator's case notes, are included with the case file that is transferred to the District Attorney's office and maintained by our Department.

1. In order to comply with the requirements under C.C.P. 38.14, the assigned investigator or any other CID personnel who participate in the criminal investigation of any case that involves a Class B Misdemeanor or above, are now required to make a photocopy of their handwritten notes and include them as an attachment with the case file being sent to the District Attorney's office. An additional copy will also be submitted to Records to become part of the original case file.
2. The primary case investigator will be required to ensure that copies of all handwritten notes pertinent to the investigation are made part of the case file, *whether or not it is being sent to the District Attorney*. If applicable, this would also include any field notes from Patrol officers, Crime Scene Technicians or Tele Serve personnel.

- B. It is the responsibility of the assigned investigator to ensure that prior to their case file being sent to the District Attorney's office, it is complete with all reports, statements, attachments, case photos, *recordings*, and any other documents that are pertinent to the investigation. For the purpose of this order, recordings include any audio or video recordings with potential evidentiary value. The assigned investigator is also responsible for ensuring that any "Corrected Copies" of any reports or attachments are forwarded to the District Attorney's office in a timely manner. If the investigation is continued past the original submission of the case file, the assigned investigator is responsible for the transfer of any new reports or case attachments to the District Attorney's office.
- C. These requirements apply to any case investigated on or after January 1, 2014. The new procedures do not apply to records that would reveal the identity of a confidential informant; however, confidential information will not be inappropriately embedded in a document to prevent its disclosure, and case notes are not to be destroyed unless a copy is included in the case file.
- D. Each CID supervisor should periodically meet with the detectives in their respective Units to ensure uniformity throughout the Unit and Section, regarding the importance of maintaining accurate and legible handwritten notes. CID supervisors are responsible for reviewing the case files that are being sent over to the District Attorney's office for accuracy and completeness.

End of General Order 66.03



Waco Police Department General Order



**Title: WANTED/CANCELLATION/
MODIFICATION FORM**

Number: 66.04 Effective: 01/01/2016

Cancels: 66.04 Issued: 11/09/1992

Approved:

Bruce E. ...
Chief of Police

66.04.01 DEFINITIONS

Wanted/Cancellation/Modification Form: The Wanted/Cancellation/Modification form, a three-part, white, yellow, and green form printed on NCR paper is used to initiate the entry, deletion, or modification of wanted persons, vehicle and license plate information retained in local, TCIC or NCIC computer records.

66.04.02 PROCEDURES

A. Forms are completed by:

1. Officers obtaining the warrants
2. Officers arresting wanted subjects or recovering stolen vehicles
3. Dispatchers, at the request of field officers making arrests or stolen vehicle recoveries
4. Officers and Records employees, in conjunction with phone-in/walk-in reports on stolen vehicles, runaways, missing persons and wanted subjects surrendering themselves into custody
5. Detectives who need to update TCIC/NCIC entry with new information

B. Instructions for Completing the Form

1. Type or legibly print all information entered on the Wanted/Cancellation/Modification form
2. Completion of the top portion
 - a. Enter case number
 - b. Enter name and badge number
 - c. Mark form as wanted, cancelled or modify
 - d. Mark entry, cancellation or modification level (local, TCIC, NCIC)
3. Enter wanted subjects by last name and first name (local check required to verify correct identifiers)

4. The Caution Field should contain any officer safety information (i.e. Considered Armed and Dangerous, Prior Violent Arrests, Hazards)
5. The **POB** (Place of Birth) field is optional using state abbreviations
6. The AKA's/Additional Identifiers field is used for supplementary information, including but not limited to:
 - a. Alias Information (AA)
 - b. Last Seen Wearing (LSW)
 - c. Possible Destination
7. Offense entries should be specific, with qualifiers when possible (i.e., assault-aggravated/knife).
8. The Misc./LKA field should contain the last known address
9. Warrant information requirements:
 - a. Name of judge issuing warrant
 - b. Warrant number
 - c. Bond amount
 - d. Extradition information (i.e., **will/will not**, TX only, adjacent states, etc.)
 - e. Name of D.A. (required for NCIC extradition)
10. Associated vehicle information is entered when available
11. Investigating officer's name and badge number is required for record entry or cancellation
12. Investigating officer performs a MVD registration check, and using the return information, enters the required identifiers
13. Stolen vehicle information requirements:
 - a. License number
 - b. Licensing State (LIS)
 - c. License Year (LYR)
 - d. License type (L TYPE)
 - e. Date of Theft
 - f. Case Number

g. Offense

h. Location of Theft

i. Investigating officer's name and badge number

14. The miscellaneous field is used for supplementary information including, but not limited to

a. Visible vehicle damage

b. Anything unusual about the vehicle

c. Stolen license plate entries require the indication of **REAR** or **BOTH**

C. Approval of Form

1. **FOR COMMUNICATION USE ONLY** section indicates the time and date
Wanted/Cancellation/Modification form is handled by Communications personnel.

a. **Received By:** Completed by Communications personnel approving in-coming forms

b. **Entered/Canceled By:** Completed by **dispatcher performing** entry or cancellation

c. **Entry/Cancel Validated By:** Completed by TLETS personnel approving entry or
cancellation of form information

d. **Entered/Canceled In:** Indicates the date systems retaining form information

End of General Order 66.04



Waco Police Department General Order



**Title: CLASS C OFFENSES NOT
REQUIRING A DICTATED
REPORT: SHOPLIFTING AND
CRIMINAL TRESPASS**

Number: 66.05 Effective: 01/01/2016

Cancels: 66.05 Issued: 02/24/1999

Approved:

B. [Signature]
Chief of Police

66.05.01 PROCEDURES

A. Issuing Class C Citations

1. Officers utilize the Class C citation when possible and practical in the below described offenses to avoid loss of time transporting prisoners, alleviate jail overcrowding, and the typing of reports.
2. Officers use a Class C citation only if all of the following factors are present:
 - a. Probable cause and authority to utilize a custodial arrest without warrant
 - b. Officer witnessed the violation or has reason to believe and does believe a violation of a Class C misdemeanor or City ordinance has occurred
 - c. Officer believes the offender will appear as directed on the citation
 - d. Officer believes the offender will not, after release, suffer injury, continue the violation, or commit a more serious violation
 - e. Officer does not believe the offender is involved in a more serious offense
 - f. Offender has a local address and sufficient personal identification (i.e., photo identification)
 - g. Offender is not wanted on an outstanding arrest warrant
 - i. Offender voluntarily signs the citation
3. If any of the above factors are not present, an officer may arrest and jail the offender.

B. Information Required on the Class C Citation

1. It is the intent for the Class C citation to substitute for a dictated report in cases involving shoplifting (theft under \$100.00) and criminal trespass.
2. Officers must be satisfied that the factors listed in A.2. above are present.
3. The following additional information is recorded on the citation:

a. On the front in the box labeled Violation/Alleged Conduct

(1). Offense Classification - (box for the code)

(2). Penal Code Section

(3). Case Number

b. On the back

(1). If a juvenile, name of parent or guardian, address and telephone number

(2). Arresting employee's (if a theft), name, address, phone, DOB, race, sex

(3). Reportee/Witness (indicate which), name, address, phone, DOB, race, sex

(4). Description and value of the item stolen (if a theft)

(5). Brief statement describing the offense including location of the offense

C. Shoplifting/Theft under \$100.00

1. Officers issue the offender a Class C citation

2. Property stolen is returned to the business. Property release form is not required.

3. Officer ensures that a photograph of the stolen property is taken and placed in the Property Room as evidence.

4. Officers tell the employee arresting or detaining the offender they may be required to provide documentation concerning the offense in court or to City Legal.

5. Officers decide whether or not to arrest and jail repeat offenders.

6. If an offender is jailed, an offense report is made.

D. Criminal Trespass

1. If the offender has left the scene prior to the officer's arrival and there is documentation to prove a past warning, an offense report is made.

2. If the offender is present and there is documentation to prove a past warning, a Class C citation may be issued for Attempted Criminal Trespass.

3. If an offender is jailed, an offense report is made.

4. Warnings by security guards who have written documentation providing consent of the property owner to be in charge of the property are considered valid when determining if an offense has occurred.

End of General Order 66.05



Waco Police Department General Order



Title: CAD PREMISE HISTORY

Number: 67.02 Effective: 01/01/2016

Cancels: 67.02 Issued: 11/09/1992

Approved:

Brent E. Roman
Chief of Police

67.02.01 PROCEDURES

A. Premise History File

1. Premise History is a file of records in the computer aided dispatch (CAD) system that stores information pertaining to a specific address. The type of information stored includes:
 - a. Notice of an active or expired Protective Order associated with the specific address in the CAD call.
 - b. Officer safety information that warns officers of a potential dangerous situation (i.e. assault of an officer or threat on officer's life).
 - c. Information on key-holder or contact for the address in the CAD call.
 - d. Any other information that an officer feels needs to be in the system so other officers can be informed of a situation that has occurred at a particular address.
 - e. Special needs residence (i.e. Take Me Home Program participant).

B. Entry of Premise History Information

1. The information is stored in narrative form and up to six records can be sorted per address.
 - a. Any officer learning of premise history information is responsible to initiate the entry of the information. The primary officer on each dispatched call is responsible.
 - b. Information will be written on a FI form and the white copy will be placed in the Dispatch box. If the information is officer safety related, the officer can give the information via phone or radio for immediate entry. A FI form will be required for retention on entry in the CAD system.
 - c. The Dispatch Supervisor or designee enters the information. A second party will check the entry to ensure it is correct and appropriate.
 - d. Information needed to enter Premise History information:
 - (1). The exact address (number, street and apartment).

- (2). Your name is placed in the narrative.
 - (3). The statements you want entered in the file.
 - (4). Identifying information on person(s) who premise is on.
2. All officers dispatched to an address with Premise History records on file are given the information prior to their arrival.

End of General Order 67.02



Waco Police Department General Order



Title: RECORDS SECURITY

Number: 67.03 Effective: 01/01/2016

Cancels: 67.03 Issued: 11/09/1992

Approved:

Brent E. Roman
Chief of Police

67.03.01 POLICY

The Support Services Division maintains and secures all official records, except juvenile criminal history records, of the Department as well as releasing of this information to authorized employees.

67.03.02 PROCEDURES

A. Criteria

1. Official records of the Department include case reports, P.D. folders and contents, impound cards, property storage and release forms, statements and all other attachments to case reports.
2. Only Support Services employees are allowed to access and search official records of the Department.

B. Release of Records

1. Criminal history information is released to any criminal justice agency employees upon request after being properly identified and upon signing a criminal history release form.
 - a. Criminal justice agencies include courts, law enforcement agencies, state and federal parole and probation offices, prisons, department of defense investigations, military police and any other agency that performs the administration of criminal justice pursuant to a statute of executive order.
 - b. Criminal history information can be released without a signed criminal history release form under the following circumstances:
 - (1). Requests made by teletype may be answered by teletype, mail (must be addressed to agency) or telephone.
 - (2). Requests by telephone are granted only if the person receiving the request is positive of the identity of the requester or verification is made by calling the agency's office.
 - c. Criminal History Information may be released over the police radio provided officers specify what they are looking for (i.e. previous burglary arrests, previous traffic warrants, etc.).
 - (1). Dispatch employees are responsible to review an individual's criminal history records for a wanted or not wanted status. If Dispatch employees notice that an individual has

been handled for any serious violent type of case, the officer is given the information.

- (2). Supervisors monitor radio traffic involving record check to ensure officers are only requesting needed information.
 - (3). Dispatch employees refer all inquiries they cannot adequately answer to their supervisor.
- d. Release of official Department records to non-criminal justice personnel meets the following guidelines:
- (1). Criminal history records of individuals are not to be released except for Police Blotter information at the time of the arrest.
 - (2). Each request to receive official records is accompanied by a written Open Records request.
 - (3). Cases that are not closed out or that have no final disposition are not released.
 - (4). Cases that are closed out or have a final disposition are only released on the authority of the City Legal Office.
 - (5). Accident reports are released at any time.

C. Expunction of Criminal Records

1. The Support Services Division is responsible to coordinate and ensure Department compliance with Chapter 55 of the Texas Code of Criminal Procedure on Expunction Procedure.
 - a. The log book of records that are expunged is maintained with the following:
 - (1). Control Number
 - (2). Court Order Number
 - (3). Case Number
 - (4). Arrest Number
 - (5). P.D. Number
 - (6). Name of person who expunged the records
 - (7). Date expunction completed
 - b. Documents are expunged in their entirety by forwarding the original documents to the Records Supervisor.
 - c. Obliterated information reflects the Department control number and date.
 - d. An expunction check list is completed by the Records Supervisor.

- e. A certified letter and applicable documents are sent to the District Court stating that the expunction has been completed. The letter identifies the court order and the Department expunction control number.
- 2. Any correspondence or information concerning a completed expungement is routed to the Records Supervisor.
- 3. Legal questions concerning an expungement order are referred to the Legal Advisor.
- 4. Attachments:
 - a. Form Letter
 - b. Expungement Check List

End of General Order 67.03

District Clerk
McLennan County Courthouse
P. O. Box 2451
Waco, Texas 76703

The Waco Police Department has completed the expungement of records as ordered by the court in case _____. Enclosed are the transferable records evidencing the arrest. All non-transferable records evidencing the arrest have been obliterated in accordance with Art. 55.02 of the Code of Criminal Procedure of Texas.

The Waco Police Department control number for this expunction is _____. Please refer to this number if further correspondence is necessary.

Sincerely,

Records Supervisor
Support Services Division

EXPUNGEMENT CHECK LIST

Control Number

Control Number

**RECORD TO
BE EXPUNGED**

**DATE AND DISPOSITION
(NOT FOUND, GIVEN TO
SSD, OR OBLITERATED**

**UNIT SUPERVISOR
SIGNATURE**

1. LINE CARD

(Records)

2. OFFENSE/SUPPLEMENT

REPORT (Records)

3. ARREST SLIP/FOLDER

(Records)

4. ARREST LOG

(Records)

5. ARREST SLIP

(Jail)

6. VIDEO TAPE

(Records)

7. ARREST LOG

(JAIL)

8. COMPUTER ENTRY

9. JUVENILE

10. C.I.D.

11. SPECIAL CRIMES

12. D.E.S.

13. COMMUNITY SERVICES



Waco Police Department General Order



Title: **COMPUTER SECURITY**

Number: **67.04** Effective: **01/01/2016**

Cancels: **67.04** Issued: **11/09/1992**

Approved:

Brent E. Roman
Chief of Police

67.04.01 POLICY

Information entered in the Department's computer system is only accessible to Department employees and each employee only has those privileges necessary to complete their assigned duties.

67.04.02 PROCEDURES

A. Criteria

1. Employees are assigned a computer account that is privileged according to their job responsibilities.
2. Employees are required to change their password every three (3) months or when someone has knowledge of it.
3. User account names and passwords are never the same.
4. Employees are required to log off their terminal if he is away from his immediate work area and the terminal is unsupervised.

B. Unauthorized Use of Computer System

1. Employees are not allowed to give their password to anyone.
2. Employees are not allowed to access, attempt to access or allow anyone to access a user account they are restricted from using.
3. Employees aware of any breach of computer security contact their supervisor immediately.

C. Use of Computer in Presence of Citizens

1. Department employees are not allowed to view offense reports, criminal histories, or TCIC/NCIC information if the information displayed on the terminal can be viewed by a citizen.
2. Citizens are not left alone in an office with a computer terminal logged on.

End of General Order 67.04




Waco Police Department General Order



Title: TCIC/NCIC GUIDE

Number: 67.05 Effective: 01/01/2016

Cancels: 67.05 Issued: 11/09/1992

Approved: 
Chief of Police

67.05.01 POLICY

The Department follows the standards and mandates set forth by the FBI in the National Computer Information Center (NCIC) and Criminal Justice Information Service (CJIS) by storing the department's guidelines and policy on the local M drive/PD transfer/TCIC 2000 & CJIS Manuals and WPD Guidelines. The Guidelines and Manuals remain current with updates.

67.05.02 PROCEDURES

Employees may refer to these Guidelines and Manuals for any questions or procedure clarification. Any further questions can be referred to a Full Access Operator in Dispatch.

End Of General Order 67.05



Waco Police Department General Order



**Title: NOTICE OF SIGNIFICANT
OCCURRENCES**

Number: 68.01 Effective: 01/01/2016

Cancels: 68.01 Issued: 11/09/1992

Approved: 
Chief of Police

68.01.01 PROCEDURES

A. Notification

1. Supervisory employees verbally notify their Assistant Chief, as soon as time permits, of significant occurrences involving Department employees.
2. Written notification and documentation is completed as required by Department directives.
3. If the Assistant Chief cannot be contacted, one of the other Assistant Chiefs or the Chief of Police is notified.

B. Significant Occurrences Include:

1. Death or serious injury incidents as described in the General Orders manual
2. Injuries to employees that require extensive medical treatment or will cause an employee to miss work
3. Incidents involving employee's activities that require police intervention
4. Incidents involving employees that are likely to attract media attention
5. Any other incident that the Shift Supervisor determines the Assistant Chief and/or Chief needs to know about before the next work day

End of General Order 68.01



Waco Police Department General Order



Title: NOTIFICATION OF RISK MANAGEMENT Number: 68.02 Effective: 12/10/2014

Cancels: 68.02 Issued: 11/09/1992

Approved:

Brent E. Roman
Chief of Police

68.02.01 PROCEDURES

A. Notification

1. The City of Waco's Risk Manager is immediately notified when the following incidents occur:
 - a. Any motor vehicle crash involving a City vehicle or City employee on duty.
 - b. Any incident on City property or at a City facility which results in substantial bodily injury or death to any person.
 - c. Any incident resulting in death or substantial bodily injury to a non-City employee; if, a City employee was involved in the incident which caused the injury or death (i.e. police shooting, custodial death, police pursuits and crash of any vehicle).
2. The term substantial bodily injury is intended to mean an injury which requires that an individual be transported to a hospital or other medical facility by an ambulance or other third party for immediate treatment.
3. The primary officer dispatched to the incident is responsible to see that the Risk Manager is notified.
 - a. Once the dispatched officer arrives at the scene and determines that the incident meets the criteria for notification, the officer provides dispatch with basic information about the incident and asks that the Risk Manager be notified.
 - b. Dispatch notifies the Risk Manager and relays the information about the incident.
 - c. Dispatch advises the officer whether or not the Risk Manager plans to come to the scene.

B. Notification During Normal Business Hours

1. Dispatch notifies the Risk Manager by phone.
2. If the Risk Manager cannot be contacted, the City Attorney assigned to the Department or the City Attorney on-call is notified.
3. The decision to respond to the scene rests with the Risk Manager.

4. Other than the above notification, the incident is worked as usual. Officers are not to hold up their investigation, pending the Risk Manager's arrival.
5. All inquiries concerning claims are referred to the Risk Manager, not to legal. (i.e. inquiries as to who will pay for anything—damages, rental car, medical bills or anything else). Employees do not imply that the City is at fault or that the City accepts liability for the incident
6. This policy does not replace the Police Legal Advisor's role in assisting officers as needed in major criminal investigation cases.

C. Notification During Non-Business Hours

1. Dispatch notifies the Risk Manager or his/her designee using on-call contact information.
2. If the Risk Manager cannot be contacted, the City Attorney assigned to the Department or the City Attorney on-call is notified.
3. The decision to respond to the scene rests with the person contacted.

End of General Order 68.02